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IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Initial reports submitted by States parties under articles 16 and 17 of the Covenant

Addendum

ISRAEL

[28 November 1997]

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Introduction

1. Israel ratified the International Covenant on Economic, Social and Cultural Rights in August 1991. The Covenant came into force with respect to Israel on 3 January 1992. The following is the combined initial and second reports submitted by Israel in pursuance of articles 16-17 of the Convention and of the guidelines issued by the Committee on Economic, Social and Cultural Rights. The aim of this report is to provide a description of the legal and social situation relevant to the implementation of economic, social and cultural rights in Israel.

2. The information contained in this report relies primarily on materials, data and legal research supplied by the relevant government ministries and institutes. Non-governmental organizations (NGOs) also provided valuable information. Independent and academic research has been surveyed and a reading list is provided at the end of the report. Annexed to the report are legal texts and specialized publications.*

I. BACKGROUND INFORMATION

A. Land and people

Geography

3. Israel's area within its boundaries and ceasefire lines is 10,840 square miles (27,800 sq. km). Long and narrow in shape, it is some 280 miles (450 km) in length and about 85 miles (135 km) across at the widest point.

4. The country may be divided into four geographical regions: three parallel strips running north to south and a large, mostly arid zone in the southern half.

Demographics

5. As of October 1997, the total population of Israel numbered 5,863,000 with over 4.7 million Jews (80.2 per cent of the total population), 872,000 Muslims (14.9 per cent), about 190,000 Christians (3.2 per cent) and around 100,000 Druze and members of other faiths (1.7 per cent).

6. The population of Israel increased in 1996 by 140,000, of whom 88,000 were Jews, representing a lower rate of increase than in 1995. In 1990-91, at the height of immigration from the former USSR and the Commonwealth of Independent States, the average annual growth rate was 250,000. Since the beginning of 1990 the population of Israel has increased by 26.3 per cent!

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* The reading list and the annexed materials are available for consultation at the Office of the United Nations High Commissioner for Human Rights.

7. The birth rate in 1995 was 21.1 per 1,000, while the infant mortality rate was 6.8 per 1,000. As of 1993, life expectancy for male Israelis was 75.3 years and for female Israelis 79.5 years. The total fertility rate was 2.9 per 1,000. Twenty-nine point seven per cent of the population was under 14 while 9.5 per cent of the population was 65 or older.

8. Israel has a literacy rate of over 95 per cent.

The economy

9. Israel's Gross Domestic Product (GDP) in 1996 was 272.8 billion new Israeli shekels (NIS) (approximately US$ 85 billion) in 1995 constant prices. GDP per capita for this period was approximately NIS 48,000 (approximately $15,000). The external debt was $44.28 billion.

10. The dollar exchange rate at the close of 1990 was NIS 2.048 per $1, and at the close of 1995, NIS 3.135 per $1. The annual average of the dollar exchange rate in 1990 was NIS 2.0162, and in 1995, stood at NIS 3.0113. In 1997 the dollar exchange rate was about NIS 3.5 per $1.

Language

11. Hebrew and Arabic are the official State languages. They are primary languages of instruction in compulsory education and either may be used by a member of the Knesset (Israel's parliament) to address the House. Israel television and radio broadcast in Hebrew, Arabic and, to a lesser extent, English, Russian and Amharic.

B. General political structure

Recent history

12. The State of Israel was founded on 15 May 1948. Israel represents the culmination of almost 2,000 years of longing on the part of the Jewish people for the re-establishment of an independent State. A guiding principle for all governments of Israel since its inception has been the "ingathering of the exiles", the historic return of the Jewish people to its ancestral land. This concept was enshrined in the Declaration of Independence and has continued to be a major component of Israel's national life to the present day. In the words of Israel's Declaration of Independence, the State "extend(s its) hand to all neighbouring States in an offer of peace and good neighbourliness".

13. In 1977 the late President of Egypt, Anwar Sadat, became the first Arab head of State to visit Israel. In 1979 a treaty of peace was signed between Israel and Egypt. The Madrid Peace Conference was convened in October 1991. It was the first time that Israel, the Syrian Arab Republic, Lebanon, Jordan and the Palestinians had met in an open and public setting for the specific purpose of negotiating peace. In September 1993, Israel and the Palestine Liberation Organization (PLO) signed the Declaration of Principles on Interim Self-Government Arrangements in Washington D.C. and in November 1994, Israel and Jordan concluded a peace treaty, formally ending 46 years of conflict. In

September 1995 Israel and the PLO signed the Interim Agreement on the West Bank and the Gaza Strip, and by 1999 the Final Status Agreement regarding these territories is due to be signed.

Structure of government

14. Israel is a parliamentary democracy, consisting of legislative, executive and judicial branches. Its institutions are the Presidency, the Knesset (parliament), the Government (Cabinet), the judiciary and the Office of the State Comptroller.

15. The system is based on the principle of separation of powers, with checks and balances, in which the executive branch (the government) is subject to the confidence of the legislative branch (the Knesset) and the independence of the judiciary is guaranteed by law.

The Presidency

16. The President is the head of State and his office symbolizes the unity of the State, above and beyond party politics.

17. Presidential duties, which are primarily ceremonial and formal, are defined by law. Among the President's formal functions are the opening of the first session of a new Knesset, accepting the credentials of foreign envoys, signing treaties and laws adopted by the Knesset, appointing judges, appointing the Governor of the Bank of Israel and heads of Israel's diplomatic missions abroad, pardoning prisoners and commuting sentences on the advice of the Minister of Justice. The President's approval is required prior to the dissolution of the Knesset by the Prime Minister.

18. The President, who may serve two consecutive terms, is elected every five years by a simple majority by the Knesset from among candidates nominated on the basis of their personal stature and contribution to the State.

The Knesset

19. The Knesset is the House of Representatives of the State of Israel; its main function is to legislate.

20. Elections for the Knesset and for the Prime Minister are held simultaneously. They are secret, and the entire country constitutes a single electoral constituency.

21. Knesset seats are assigned in proportion to each party's percentage of the total national vote. A party's surplus votes which are insufficient for an additional seat are redistributed among the various parties according to their proportional size resulting from the elections, or as agreed between parties prior to the election.

22. The Knesset is elected for a term of four years, but may dissolve itself or be dissolved by the Prime Minister, with the President's approval, before the end of its term. Until a new Knesset is formally constituted following elections, full authority remains with the outgoing Government.

23. The Knesset operates in plenary sessions and through 13 standing committees: the House Committee; the Foreign Affairs and Security Committee; the Finance Committee; the Economics Committee; the Interior and Environment Committee; the Education and Culture Committee; the Labour and Social Affairs Committee; the Constitution, Law and Justice Committee; the Immigration and Absorption Committee; the Committee for State Audit Affairs; the Committee on the War against Drug Addiction; the Science Committee and the Committee for Advancing the Status of Women.

24. In plenary sessions, general debates are conducted on government policy and activity, as well as on legislation submitted by the government or by individual Knesset members. Debates may be conducted in Hebrew and Arabic; simultaneous translation is available.

The Government

25. The Government (Cabinet of Ministers) is the executive authority of the State, charged with administering internal and foreign affairs, including security matters. Its policy-making powers are very wide and it is authorized to take action on any issue which is not delegated by law to another authority. The Government usually serves for four years, but its tenure may be shortened by the resignation of the Prime Minister or by a vote of no confidence.

26. The Prime Minister is elected directly by popular vote, simultaneously with the Knesset elections. Until the 1996 elections, the task of forming a government and heading it was assigned by the President to the Knesset member considered to have the best chance of forming a viable coalition government.

27. The ministers are responsible to the Prime Minister for the fulfilment of their duties and accountable for their actions to the Knesset. Most ministers are assigned a portfolio and head a ministry; others serve without a portfolio but may be called upon to take responsibility for special projects. The Prime Minister may also serve as a minister with a portfolio.

28. The number of ministers, including the Prime Minister, may not exceed 18, nor be less than 8. At least half of the ministers must be Knesset members, but all must be eligible for candidacy as Knesset members. The Prime Minister, or another minister with prime ministerial approval, may appoint deputy ministers, up to a total of six; all must be Knesset members.

C. The judiciary

29. The absolute independence of the judiciary is guaranteed by law. Judges are appointed by the President, on the recommendation of a special nominations committee comprised of Supreme Court judges, members of the bar, ministers and Knesset members. Judges' appointments are with tenure, until mandatory retirement at age 70.

30. Magistrates' and District Courts exercise jurisdiction in civil and criminal cases, while juvenile, traffic, military, labour and municipal appeal courts each deal with matters coming under their jurisdiction. There is no trial by jury in Israel.

31. In matters of personal status such as marriage, divorce and, to some extent, maintenance, guardianship and the adoption of minors, jurisdiction is vested in the judicial institutions of the respective religious communities: the rabbinical court, the Muslim religious courts (Sharia courts), the religious courts of the Druze and the juridical institutions of the nine recognized Christian communities in Israel.

32. The Supreme Court, seated in Jerusalem, has nationwide jurisdiction. It is the highest court of appeal on rulings of lower tribunals. In its capacity as High Court of Justice, the Supreme Court hears petitions in constitutional and administrative law issues against any government body or agent, and is a court of first and last instance.

33. Although legislation is wholly within the competence of the Knesset, the Supreme Court can and does call attention to the desirability of legislative changes. It also has the authority to determine whether a law properly conforms with the Basic Laws of the State and to declare a law void.

D. The State Comptroller

34. The State Comptroller carries out external audits and reports on the legality, regularity, economy, efficiency, effectiveness and integrity of the public administration in order to assure public accountability. Israel recognized the importance of State audit in a democratic society and in 1949 enacted a law which established the State Comptroller's Office. Since 1971, the State Comptroller has also fulfilled the function of Public Complaints Commissioner (ombudsman) and serves as an address to which any person may submit complaints against State and public bodies which are subject to the audit of the Comptroller.

35. The State Comptroller is elected by the Knesset in a secret ballot for a five-year term. The Comptroller is accountable only to the Knesset, is not dependent upon the Government, and enjoys unrestricted access to the accounts, files and staff of all bodies subject to audit. The Comptroller's activities are carried out in cooperation with the Knesset Committee for State Audit Affairs.

36. The scope of State audit in Israel is among the most extensive in the world. It includes the activities of all government ministries, State institutions, branches of the defence establishment, local authorities, government corporations, State enterprises, and other bodies or institutions declared subject to audit.

37. In addition, the State Comptroller has been empowered by law to inspect the financial affairs of the political parties represented in the Knesset, including election campaign accounts and current accounts. When irregularities are found, monetary sanctions are imposed.

E. Basic Laws

38. Israel has no formal constitution as yet. However, most chapters of the prospective constitution have already been written, and enacted as Basic Laws.

39. The Basic Laws are adopted by the Knesset in the same manner as other legislation. Their constitutional import is derived from their nature and, in some cases, from the inclusion of "entrenched clauses" whereby a special majority is required to amend them.

40. The following are the Basic Laws of the State of Israel:

The Knesset (1958)

State Lands (1960)

The President (1964)

The State Economy (1975)

The Israel Defence Forces (1976)

Jerusalem (1980)

The Judicature (1984)

The State Comptroller (1988)

Human Dignity and Liberty (1992)

Freedom of Occupation (1992)

The Government (1992)

41. A draft Basic Law: Social Rights Bill has been is pending in the Knesset since 1993, when for the first time in Israel's history the Government agreed to include social rights in fundamental rights legislation. Even though economic, social and cultural rights are recognized in Israel, whether directly by law, regulations or case-law, or indirectly by administrative programmes, they still lack constitutional status. This issue is further dealt with in the part of this Report dealing with article 2 of the Covenant.

II. INFORMATION CONCERNING GENERAL PROVISIONS OF THE COVENANT

Article 1 - Self-determination

42. Israel's recognition of the universal right to self-determination is embodied in its Declaration of Independence, which contains a clear commitment to the principles of the Charter of the United Nations. The right to self-determination is central to the establishment of the State of Israel, especially after the Holocaust. In the Supreme Court's words:

> "Certainly, all the citizens of Israel - Jews and non-Jews - are 'shareholders' in the State, and the proposition that the State is the 'State of all its citizens' does not detract from it being a Jewish State, and if one wishes: the Jewish State. We must remember - how can we forget - that the Jewish people did not have any other state but the State of Israel, the State of the Jews. However, within the State, all citizens enjoy equal rights."
> C.A.P. 2316/96 Issacson v Registrar of Political Parties, Takdin-Supreme vol. 96 (2) 306, 319.

Article 2 - State responsibility, non-discrimination, international cooperation

State responsibility

43. Economic, social and cultural rights are widely recognized in Israel, whether directly by law, regulations or case-law, or indirectly by administrative programmes. Since its creation, the State's commitment to the full realization of these rights has never been politically challenged. Moreover, social services of all sorts have dramatically expanded over the years, notwithstanding Israel's security challenges on the one hand and huge waves of immigration on the other, both of which have had an obvious drastic impact on the State's available resources. This commitment is clearly revealed in each of the substantial parts of this report (arts. 6-15).

44. It is worth stressing here the existence of a definite and steady trend of welfare legalization in Israel. The best example is the Assurance of Income Law 1980, which created a legal right to basic income as a safety net to ensure subsistence. This right, implemented by the National Insurance Institute, replaced the previous administrative programme operated by social workers. Under the previous programme, social workers had the authority to decide whether, in their professional judgement, an individual in need was entitled to a basic allowance, in addition to determining the level of such an allowance. Such examples are found in various parts of this report. It is fair to say in general that the majority of the rights covered by the Covenant are today legalized, even though the process has still to be completed.

45. Furthermore, there are definite indications that welfare and labour rights might undergo an even greater change with respect to their status - from regular legal rights to constitutional rights. Such indications can be found both in the legislative and the judicial fields.

Basic Law: Social Rights Bill (1993)

46. A draft Basic Law: Social Rights Bill has been pending in the Knesset since 1993. Its main provisions are:

"1. The fundamental human rights in Israel are based on the recognition of the importance of a human being, of the sanctity of his life, and of his free existence, and they shall be respected in accordance with the principles of the Declaration of Independence of the State of Israel.

"2. This Basic Law aims to protect the social rights of man, so as to embody in this Basic Law the values of the State of Israel as a Jewish and democratic State.

"3. Every resident is entitled to his basic needs for the protection of a dignified human existence, inter alia in the field of labour, wage and work conditions, in the field of learning and education and in health and social welfare; this right shall be implemented or regulated by governmental authorities in accordance with law, and subject to the financial ability of the State, as determined by the government.

"4. Workers are entitled to organize in workers' organizations of their choice, and employers are entitled to organize in employers' organizations of their choice; such organizations may conclude collective agreements, all in accordance with the principles of labour law.

"5. Workers are entitled to strike, in accordance with the principles of labour law, in order to protect their rights and advance their economic and social interests.

"6. The rights protected in this basic law shall not be impaired, save by way of a law, or through specific authorization in law comporting with the values of the State of Israel as a Jewish and democratic State, for a proper purpose, and not exceeding what is strictly required.

"7. Every authority in any branch of government, and all that act in its name, must respect the rights in this Basic Law.

"8. None of the rights in this basic law shall be invoked in a manner which compromises the State's existence, its democratic regime, or serve to oppress human rights."

47. The future of this draft is not clear. But the fact that for the first time in Israel's history the government agreed in 1993 to include social rights in fundamental rights legislation, is symbolically important. It demonstrates the depth of Israel's commitment to the rights covered by the present Covenant.

The judiciary

48. Constitutional recognition of fundamental rights can come about through case-law, as has happened in Israel in the area of civil rights. This at least means such rights are taken seriously for the purpose of interpretation of statutes or filling legislative lacunae. As far as economic and social rights are concerned, there is yet limited judicial activity, apart from the right to form trade unions and the right to strike, which are regarded as fundamental rights.

49. The Supreme Court made the following interesting remarks as to the State's duty to provide for the weak and poor:

> "A democratic government in its very essence, and according to its values, will look after the citizen's present and future welfare. It will strive to provide employment, a minimum wage, and social rights, so that he who has laboured all those years and reached retirement age is insured as much as possible and does not fall as a burden upon society. If a democratic administration can afford to invest the necessary resources, it should provide for citizen pension rights on its own initiative, and in good time ... The Basic Law, as mentioned above, is grounded in the values of the State of Israel as a democratic state. Caring for a citizen's welfare, making sure his needs are met and securing his future comports with the values of the State of Israel as a democratic state and corresponds with the values of Judaism which have always set a priority on caring for the citizen and providing for his basic needs. It has been said, for example, that charity is one of the three most important deeds which constitute the moral basis of this world [cite omitted] ... Open and hidden acts of compassion and charity, being nothing but expressions of care for another, so that he does not suffer hunger or deprivation, are advocated and encouraged in clear and explicit messages rooted in ancient tradition. Ensuring that all the needs of the citizen are met as well as those of the resident and gentile, and preserving their standard of living and quality of life is also amongst the blessed values in Jewish tradition."
> H.C. 726/94, 878/94 Klal Insurance Company Ltd. v. Minister of Treasury, P.D. vol. 48 (5) 441, 476.

50. Justice Aharon Barak, the President of the Supreme Court has remarked that the "right to decent living conditions" should be construed from the Basic Law: Human Dignity and Liberty (Barak 1994, pp. 416-7), but no case has been brought to the court yet.

51. In sum, since no serious attempt to induce the judiciary to recognize social rights as fundamental rights has yet been made, the exact constitutional status of economic, social and cultural rights under Israeli law still awaits decisive developments, legislative as well as judicial.

Non-discrimination

52. As far as State and public agencies are concerned, the non-discrimination principle is totally binding in Israel. The Israeli Declaration of Independence declares the State's commitment to "civil and social equality". Using this source, among others, the High Court of Justice has long enshrined the right to equality and has repeatedly expressed the following view:

> "The rule according to which it is prohibited to discriminate between people on grounds of race, sex, nationality, ethnic sect, state of origin, religion, opinion or social status is a fundamental constitutional principle, inherent to our most basic legal norms."
> H.C. 721/94 El Al Israeli Airlines v. Danilovitch, P.D. vol. 48 (5) 749, 760.

53. The courts have created an effective body of jurisprudence, resulting in granting relief to any person able to prove discrimination on the part of any person or body acting under the law. Welfare and other social services are no exception to this rule, as it is clear from the following and representative citation:

> "... guaranteeing equal opportunities for the handicapped costs money. A society raised on the values of human dignity, liberty and equality is willing to pay the necessary price ... As we have mentioned, regulations require that special toilets for the disabled be installed in ... the school. The purpose of this provision is to enable the handicapped child to integrate in the school in a manner similar to that of any other child, and to thereby guarantee his dignity and enable him to enjoy equal educational opportunities."
> H.C. 7081/93 Botzer v. Municipal Authority Maccabim-Reut, Takdin-Supreme vol. 96 (1) 818, 821-822

54. Statutory entitlements are generally based upon residence, not nationality, let alone race, religion, sex, etc. For example, education rights apply to any "child"; workers rights apply to any "employee"; social security is usually based upon "residence", except for three aspects of social security which apply to all "employees". A detailed account of the application of the non-discrimination principle is given in each chapter of this report. The issue of foreign workers is elaborated on in the chapter dealing with article 6 of the Covenant.

55. Non-discrimination statutory provisions are generally rare in Israeli law. Nevertheless, some of the rights under the Covenant are specifically subject to such provisions, which are discussed in the body of this report. These provisions are the following (the statutes referred to are attached in annex 1A to this report):

> The right to work (art. 6) and the right to just and favourable conditions of work (art. 7): Equal Employment Opportunities Law 1988, Article 2 and 2A; Employment Service Law 1951, Article 42 and 42A; (Male and Female) Workers Equal Pay Law 1996, Article 1 and 2; Equal Retirement Age for Male and Female Employees Law 1987, Article 2; Public Service (Appointments) Law 1959, Article 15A; Work and Rest Hours Law 1951, Article 9C;
>
> Health rights (art. 12): National Health Insurance Law 1994, Article 21(a) and 31;
>
> Education rights (arts. 13-15): National Education Law 1959, Article 2.

International cooperation

56. The State of Israel is deeply involved in international cooperation. The Department of International Cooperation of the Ministry of Foreign Affairs (DIC) is devoted to promoting assistance programmes in the fields of training, research and consultations. Remaining committed to the universal goal of poverty reduction, the focus has been on the enrichment of human resources and institution-building, to enable individuals to participate in the development

of their own society in such fields as market-oriented agriculture, women in the development process, environmental conservation, health care, micro-enterprise and community development. In 1996, there were 4,045 participants in 144 training courses conducted in Israel, and 5,327 participants shared in 120 local courses held in 47 countries worldwide.

57. As aid to Africa comprises approximately 25 per cent of the DIC training activities and long-term projects, a special team of experts has been appointed to study the present Africa-Israel relationship in order to formulate a more positive programme for future cooperation. Aside from designing bilateral development cooperation strategies with client countries, according to specific national priorities, high priority has been given to multilateral activities and increasing cooperation with international organizations. A multilateral agreement between Israel, the Palestinian Council, Luxembourg and Morocco was signed relating to an agricultural project in the Gaza Strip, and agreements were signed in 1996 between DIC, UNDP, UNESCO and FAO on development cooperation and institution-building programmes.

58. Peace in the Middle East will be secured only when it takes root in the everyday lives of people in the region. Therefore, cooperation with countries, authorities, NGOs and the private sector in the Middle East/North African region, as well as with the Gulf States, will continue to be a basic objective of Israel's development programme. Comprehensive regional cooperation will begin to be translated into practice when peace agreements are reached, but there is no need to wait until then to begin working together. DIC hopes to serve as a bridge between the people of the region.

59. Many DIC programmes have been achieved through resources generously provided by the United States Agency for International Development (USAID) and the Kingdom of the Netherlands' Ministry of Foreign Affairs. Additional resources are provided by the Danish International Development Agency (DANIDA); Norway's International Development Agency (NORAD); Sweden's International Development Agency (SIDA); the Federal Republic of Germany's Ministry of Economic Cooperation; the Inter-American Development Bank; the Organization of American States and various United Nations bodies and agencies (the Department of Development Support and Management Services of the Secretariat, UNDP, WHO, FAO, UNESCO, WMO). (The DIC Activity Report, 1996, Israel Ministry of Foreign Affairs).

60. All the above accounts for international assistance granted by Israel. Of the international assistance that Israel receives, only a small portion is granted in order to meet social needs and even then, only for the absorption of immigrants. The United States of America grants Israel $8 million each year; Germany provides Israel with loans the sum of which varies over the years according to immigration rates (DM40 million for the years 1997-1998, which is less than in the midst of the last immigration wave). It should be borne in mind that between the beginning of 1989 and August 1997 Israel has absorbed 742,000 immigrants, with a total population of 4,678,000 by the end of 1988 - an increase of 16.6 per cent in the total population in less than a decade!

Article 3 - Prohibition of discrimination between men and women

61. The guidelines issued by the Committee under the present Covenant do not require a general overview of the equal right of men and women to the enjoyment of all the economic, social and cultural rights set forth in the Covenant. This topic will be elaborated separately in each part of this report.

62. Further reading with special focus on this subject can also be found in Israel's combined initial and second report concerning the implementation of the Convention on the Elimination of All Forms of Discrimination against Women, submitted in May 1997 to the United Nations Committee on the Elimination of Discrimination against Women (CEDAW) and published as United Nations document CEDAW/C/ISR 1-2 of 8 April 1997. Reference to the said report will be made easier by using the following chart:

Article of the Covenant	Article and chapter of the Convention
Arts. 2-3: Non-discrimination	Art. 1: Definition of discrimination Art. 2: Obligations to eliminate discrimination
Art. 6: Right to work	Art. 4: Acceleration of equality
Arts. 6-7: Work and conditions of work	Art. 11: Employment
Arts. 9 and 11: Social security and subsistence	Art. 13(2): Social benefits and welfare
Art. 10: Family	Art. 16(5),(7),(8),(11): Family
Art. 12: Health rights	Art. 12: Access to health care
Arts. 13-14: Education rights	Art. 10: Education

III. INFORMATION CONCERNING SPECIFIC RIGHTS

Article 6 - The right to work

Related international conventions binding Israel

63. Israel has been a party to the International Labour Organization (ILO) Employment Policy Convention, 1964 (No. 122) since 1970; Israel's last report relates to 1995.

64. Israel has been a party to the Forced Labour Convention, 1930 (No. 29) since 1955; Israel's last report relates to 1990.

65. Israel has been a party to the Discrimination (Employment and Occupation) Convention, 1958 (No. 111) since 1959; Israel's last report relates to the years 1992-1993.

66. Israel has been a party to the International Convention on the Elimination of All Forms of Racial Discrimination since 1979; Israel's last report was filed in July 1997 and relates to the years 1991-1996.

67. Israel has been a party to the Convention on the Elimination of All Forms of Discrimination against Women since 1991; Israel's last report was filed in May 1997.

68. International covenants ratified by Israel are normally not part of Israeli internal law unless given statutory recognition by the Knesset. Nevertheless, international labour conventions, especially ILO standards, have had a tremendous influence on the development of the Israeli Labour Law, both statutory and judicial. These standards are embodied in the content of the labour statutes. The Labour Courts also frequently use such conventions, even those which have not been ratified, for the interpretation of statutes and as a criterion for testing the validity of contract terms.

Employment and unemployment

Level and trends

69. Over the past 10 years, from 1986 to 1996, Israel's economy has expanded at a rapid rate. Gross domestic product increased by 65 per cent in constant prices between 1986 and 1996, with the majority of the growth (42 per cent) concentrated between 1989 and 1995. This is a significant achievement that has brought per capita GDP in Israel to a level not far below the average among western nations.

70. GDP grew in 1996 by 4.5 per cent to reach NIS 272.8 billion (in 1995 constant prices; approximately $85 billion). GDP per capita grew in 1996 by 1.8 per cent, reaching about NIS 48,000 (in 1995 constant prices; approximately $13,000). This growth was at a lower rate than in the previous two years and preliminary forecasts for 1997 indicate a further slowing in the pace of economic activity in the current year.

71. The expansion in economic activity has been accompanied by considerable growth in domestic employment, including the successful absorption of a large wave of immigration which began toward the end of 1989 (generating a rise of 16.6 per cent in the Israeli population by the end of 1997 - less than a decade!).

72. In 1996 there were 2.1 million workers employed in Israel. The unemployment rate was then 6.7 per cent, the lowest since 1992, when unemployment reached 11.2 per cent of the labour force; this was at the height of the influx into the labour market of new immigrants, with some 85 per cent of these coming from the former Soviet Union.

73. Employment trends among particular categories of workers. The following table presents the principal labour force characteristics of various categories of Israeli workers: men, women, Jews, Arabs, younger and older workers, development area residents and new immigrants, showing changes in the number employed and the unemployment rate for these groups in 1986, 1991 and 1996. More extensive data is given table 1 annexed to this section.

	Per cent change in employment		Unemployment rate per cent		
	1991-1996	1986-1991	1986	1991	1996
Total population	27.1	15.7	7.1	10.6	6.7
Jews	26.0	14.4	6.6	10.6	6.7
Arabs and others	35.4	26.4	10.5	10.5	6.2
Men	20.4	12.8	6.5	8.6	5.8
Women	37.3	20.4	7.9	13.4	7.8
Aged 15-17	36.7	-1.7	20.5	23.7	19.7
Aged 18-24	52.6	13.8	18.6	22.2	12.8
Aged 45-54	65.8	19.8	3.3	6.9	4.5
Aged 55-64	25.6	9.3	2.0	7.2	4.8
Residents in development areas	60.7	-	-	15.4	10.5
New immigrants	353.0	-	-	38.5	9.3

74. Generally speaking, from 1991 to 1996, the employment of most categories of workers shown above increased more than the average rate and employment among new immigrants rose particularly rapidly. Interestingly, this growth was smaller amongst Jews and men, which constitute the two broader (but not exclusive) categories of workers in Israel. This pattern could already be discerned before 1991, between 1986 and 1991, but was less pronounced.

75. Regarding unemployment rates, the data indicate that over the past 10 years, the highest rates are to be found among the youngest workers, aged between 15 and 24. Unemployment has been high as well amongst workers living in the country's development areas. Unemployment rates of new immigrants were typically high shortly after their arrival in Israel and declined rapidly as they learned the language and adapted their skills to the local labour market. Over the longer term, the most vulnerable groups of Israeli workers are probably young workers (although the large majority of this age group attends school and does compulsory army service) and the residents of outlying development areas where job opportunities may be limited.

76. Initial figures for 1997 indicate that unemployment may be worsening this year. Rising unemployment will, of course, necessitate a re-evaluation of employment and unemployment policies and measures.

Employment policies

77. As can be seen from the data on unemployment in Israel, the unemployment rate has fallen steadily since 1992, when it stood at 11.2 per cent, to 6.7 per cent in 1996. With unemployment at this level, the Government considers the economy to be at near full employment.

78. In general, difficulties in employment management are associated with cyclical variations in economic growth. Therefore, the objectives of economic policy are the encouragement of long-term economic growth and expansion of job opportunities and the implementation of short-term measures to reduce unemployment.

79. Israel has encountered a particular problem as a result of the large influx of new immigrants, mostly from the former Soviet Union, which began towards the end of 1989. Immigration reached a peak in 1990 when about 200,000 entered Israel (and 276,000 more in 1991). Between 1992 and 1996, approximately 75,000 to 80,000 new immigrants arrived annually. Despite the high level of economic activity during most of the period from 1990 to 1996, unemployment rose significantly, from 8.9 per cent in 1989 to 11.2 per cent in 1992. Thereafter, unemployment declined, reaching 6.7 per cent in 1996. This was achieved through short-term programmes of financial assistance to industrial firms willing to increase the numbers of workers employed, the creation of temporary jobs in the public sector and through the expansion of vocational training, in particular, skill-updating and retraining courses for university graduates and on-the-job training. The number of new immigrants in vocational training rose from an average of about 1,300 per month in 1990 to 6,000 per month in 1993. By 1996, the number of new immigrants in vocational courses declined to about 2,000 per month, as the flow of new arrivals slowed and their absorption into jobs in Israel increased. Unemployment among new immigrants fell from 38.5 per cent in 1991 to 9.3 per cent in 1996, an achievement which was due to a combination of the Government's measures and the economy's expansion during the period.

80. Mention should also be made of a temporary employment programme initiated in 1992, when unemployment reached an unusual peak. Projects were initiated to provide employment in the development of archeological and tourist sites and in environmental improvements. By 1993, 3,500 unemployed persons were working in these jobs each month for an average of 17 days each. This rose to 3,800 workers in 1994 (for 18 days per month each) and has since declined as unemployment fell due primarily to the expansion of economic activity in Israel. In the first six months of 1997, only 700 persons were employed for approximately 15 days per month in these temporary jobs.

81. The Government's long-term economic programmes focus on measures to maximize the economy's productivity. Such measures include privatization of Government-owned enterprises, encouragement of competition among domestic producers of goods and services and between domestic and foreign producers through the reduction of trade barriers, and the minimization of the use of employment projects for the temporary relief of unemployment.

Employment and individual freedom

82. At the most basic level, the employee-employer relationship is a contractual one. The fundamental principle of "freedom of contract" (entrenched since 1992 in the Basic Law: Human Dignity and Freedom) applies to labour contracts as well. This includes both the freedom to enter a labour relation or to chose not to do so, and the freedom to define the content of such a relation. Hence, as a general rule, the individual right to work exists only where there is an individual labour contract or a relevant collective agreement and its scope is to be determined by them.

83. This contractual approach has led Israeli courts to somewhat restrict the availability of enforcement as a remedy for dismissal in breach of a personal labour contract. Such remedy may be granted by statute or by a collective agreement (as described below). It should be noted that this issue is one of the most controversial in Israeli labour law, and differences exist in its regard within the Supreme Court itself.

84. Nonetheless, "freedom of contract" is not the only principle governing the present topic. In light of the basic inequality between the two sides of a labour contract - the employee and the employer - freedom of contract alone is not enough to protect worker's rights. Protective labour law principles and statutes in Israel have important implications for the protection of the right to work.

85. Protection of job security through collective agreements (and extension orders) is in fact very efficient for organized workers, who constitute the vast majority of workers in Israel. It is so deeply entrenched in the system that it is sometimes criticized, mostly by employers.

86. Many collective agreements include a provision that employees dismissed as a result of cutbacks are entitled, during a given period, to be given priority in any return to work. Furthermore, collective agreements also often set procedures for determining the justification for dismissal by the employer. The most common procedure of this sort is the "bipartite committee", composed of the employer and trade union representatives. Should such committee reach a dead end, the dispute is commonly brought to arbitration.

87. Direct statutory protection of security of employment is exceptional and applies to particular kinds of workers as follows (see full text of the laws referred to in annex 1A to this report):

(a) Female workers during maternity leave (including up to six months after giving birth in case of medical grounds for absence) and pregnancy (under certain conditions) - see the Employment of Women Law 1964, article 9;

(b) Workers serving in the army reserve - the Discharged Soldiers Reinstatement Law 1949, articles 37 and 41;

(c) War invalids - regulations issued under the Discharged Soldiers Reinstatement Law 1949, article 31;

(d) Employees who are members of a "safety committee" and "safety delegates" in connection with the fulfilment of their statutory functions - the Labor Inspection (Organization) Law 1954, articles 17 and 24;

(e) Workers who are relatives of fallen veterans, during a five-year period of statutory extension of their retirement age, or in relation with it - the Rehabilitation Law 1950, Fallen Soldiers Families (Pensions and article 33A);

(f) Civil servants and workers in other public services in relation to complaints they have filed with the State Comptroller - the State Comptroller Law (New Version) 1958, article 45C.

88. In addition, there are three forms of State regulation of recruitment and employment, which indirectly enhance individual opportunities for employment.

89. The first is in the Employment Service Act 1959, which created the Israeli Employment Service. This is a national public corporation under the responsibility of the Minister of Labor and Social Affairs, whose main purpose is to match employment seekers with vacancies as notified by employers. An employment service office is provided for in every urban area throughout the country. According to the National Insurance Law (Revised Version) 1995, reporting to the Employment Service office is a precondition for receiving unemployment allowance where no suitable work was offered (see details under article 9 of the Covenant).

90. "Private Employment Services", commonly called "Placement Agencies", are also regulated by the State under the Employment Service Law 1959 (Part 4). They are required to obtain a permit from the Ministry of Labor and Social Affairs, who supervises them.

91. Replying to public discontent with the proliferation of private agencies operating in various ways in the area of employment management, the Employment of Workers by Manpower Contractors Law 1996 was enacted. The difference between a "manpower contractor" and a private "placement agency" is that the former remains the employer after placing the employee at work at a third party's workplace. The "manpower contractor" differs, in turn, from a regular contractor in that the contract with the third party is limited to the provision of personnel management services. The Law requires any "manpower contractor" to obtain a permit after depositing a satisfactory financial guaranty, to be used by the State for the benefit of workers in the case of breach of contract by the agency. The Law also compels the "manpower

contractor" to provide employees with a written contract. It also nullifies the validity of clauses seeking to limit the employee's freedom to be at some point in the future hired by the third party. A petition to the High Court of Justice is still pending waiting for judgement, seeking to declare unconstitutional the legal provisions requiring financial guarantee as a precondition for issuing a permit.

92. The Ministry of Labor and Social Affairs is charged with the enforcement of the Employment of Workers by Labor Contractors Law. Since its entry into force in September 1996, almost 200 agencies have requested permits, about 170 of which have obtained such.

93. The "restraint of trade" doctrine is another important instance of protective principle, sometimes reducing the effect of "freedom of contract" and enhancing working opportunities. Under this doctrine, a clause in a contract of employment which seeks to restrict the freedom of an employee to work at any time at a particular kind of occupation is valid only when the said restrictions are deemed reasonable, for example when their purpose is the protection of the employer's trade secrets or other confidential information. Otherwise, the employee's consent is considered void.

94. The enactment in 1992 of the Basic Law: Freedom of Occupation added a constitutional aspect to the issue of choice of occupation in general and to the courts' reasoning in "restraint of engagement in trade" cases in particular. The reasonability of a restraint of engagement in trade clause is now a complex issue of reaching the right balance between "freedom of contract" and "freedom of occupation", taking into account the competing rights of all parties involved (the employer, the employee and the third party who wishes to hire the latter), as well as the public interests normally taken into consideration in such cases under regular constitutional law.

95. Last but not least, freedom of choice of occupation is also indirectly promoted by the legal provisions and principles prohibiting discrimination in recruitment, dealt with in section 3(a) below.

Technical and vocational training programmes

(i) Vocational guidance

96. Psychological and vocational counselling services are provided by the Vocational Guidance Division of the Employment Service (this State institution is described in greater detail in section 3(a) below). Services include vocational guidance for individuals (about 5,000 persons per year), vocational diagnosis and testing, job analysis and classification, collection and dissemination of employment information and instruction for personnel involved in vocational guidance activities in schools, local labour exchanges, etc.

97. No data is available on the operations of vocational guidance by the demographic characteristics of those using the services.

(ii) Vocational and technical education within the formal education system sponsored by the Ministry of Education

98. In general, vocational education is available within the formal education system at the secondary and post-secondary levels, with introductory and exploratory vocational courses provided in grade 9 (intermediate level).

99. The vocational schools offer students a variety of both academic and vocational subjects, including commercial and secretarial studies, fashion and textile design, basic technical skills (metalworking, mechanics and electricity, for example), computer science and electronics. In addition, there are agricultural schools and nautical schools combining specific vocational training with academic studies. In recent years, technological development has given rise to increased efforts to adapt vocational school curricula to the economy's need for an expanding supply of skilled workers training in modern technology. To this end, computer studies have been introduced and twelfth-year students work one or two days a week in industrial plants in order to familiarize themselves with innovations in production methods.

100. There are three paths within vocational schools: a combination of a full academic programme (leading to matriculation) with vocational training; vocational studies (leading to a diploma); and practical vocational education stressing practical application (leading only to a certificate).

101. Within the last 10-15 years, the number of students receiving vocational training in secondary schools has grown by 50 per cent, an increase attributed by the Ministry of Education primarily to the growing number of youngsters remaining in school after the age of compulsory attendance. The majority of such youngsters are being absorbed into the vocational education network as opposed to the academic education network.

102. At the post-secondary level, advanced vocational training is available to students who have completed a full secondary school course of study. In 1993/94 (the latest year for which data is available), there were 224 of these institutions throughout the country (in Hebrew and Arab networks), of which 32 provided teacher training (for primary and intermediate schools) and 101 for training of practical engineers and technicians. The remainder offered qualified nurses' training, training in paramedical occupations, business and clerical courses and arts courses (fashion, design, graphics, etc.). In 1993/94, 59,000 students were studying in post-secondary (non-academic) institutions, an increase of 67 per cent over 1985/86, with substantial growth in all fields of study.

(iii) Vocational training for adults and youth sponsored by the Ministry of Labor and Social Affairs

103. In addition to the vocational education frameworks described above, the Ministry of Labor and Social Affairs sponsors an extensive network of vocational training courses for adults (aged 18 and over) and youths (aged 15-18) for the purposes of assisting workers in expanding their employment horizons, enlarging the pool of skilled workers available to the economy and implementing the training aspects of national economic policy in

the field of manpower. Training activities are undertaken in close cooperation with industries, employers' organizations and the trade union movement.

104. Adult training activities include:

(a) Courses for the acquisition of basic skills;

(b) Short extension and evening courses for supplementing training and refreshing skills;

(c) Vocational rehabilitation for the handicapped;

(d) Training of manpower for emergencies;

(e) Training of practical engineers, technicians and instructors in these subjects;

(f) Training and retraining programmes for new immigrants, returning Israeli residents and other special groups, as required;

(g) On-the-job training programmes to train manpower in new and advanced techniques.

105. Training activities are mainly conducted in vocational training centres located throughout the country. Most courses are run by established schools selected by the Ministry, which supervises their operation and subsidizes the trainees (usually unemployed, referred to the schools by the Employment Service). Occupational standards are determined and maintained by the Ministry through supervisors and Ministry licensing examinations. The Ministry of Labor and Social Affairs also offers financial incentives (such as transportation and subsistence allowances, tuition exemptions and scholarships) to students studying preferred trades.

106. In addition to its regular, ongoing training activities, the Ministry of Labor and Social Affairs also initiates and carries out programmes to meet the needs of specific groups in the population requiring special assistance in preparing themselves to join the labour market. Currently, there are special programmes in operation and in the planning stages to offer vocational training to immigrants from Ethiopia, from the former Soviet Union (both adults and young people) and women.

107. In 1996, about 130,000 adults were studying in Ministry of Labor and Social Affairs-sponsored programmes, receiving basic and supplementary vocational training in such fields as practical engineering, metalwork, electricity and electronics, mechanics, domestic economy, hotel management, paramedical occupations and computer science.

108. The Ministry of Labor and Social Affairs is obligated by law to provide training for young people, aged 15 to 18, who have dropped out of the formal education system (see the Youth Labor Law 1953, Part Six and the Apprenticeship Law 1953 in annex 1 to this report - "Labour Laws"). The Ministry has developed several training frameworks to meet the laws' requirements and to suit the needs of those youngsters coming under Ministry care. Youth Training activities include:

1. Apprenticeship programmes combining practical occupational instruction in craft shops and industrial plants with general school studies one or more days a week.

2. Industrial schools, providing post-elementary general and vocational training. The students acquire their vocation through practical work combined with general studies and theoretical training in their vocation. These schools function in cooperation with automotive repair shops, industrial plants and hotels.

3. Other frameworks for skill acquisition:

(a) Work groups, which are intended for young people who, for various reasons, cannot be absorbed into regular employment. This framework also combines work with general studies.

(b) Pre-military service courses, coordinated with the army, intended for 16-17½ year-olds to acquire a vocation useful both during the period of army service and after discharge from military service.

(c) Programmes for problem youngsters combining vocational training with general studies and social adjustment training.

109. In 1996, approximately 12,500 youngsters aged 15 to 18 studied in programmes sponsored by the Ministry of Labor and Social Affairs, more than 75 per cent of them in industrial schools.

Employment opportunities among particular categories of workers

Prohibition of discrimination

110. Certain labour laws prohibit discrimination among candidates for employment or employees.

111. The Employment Service Law 1959 states (see the full text in annex 1 to this report - "Labour Laws"):

> "42.(a) When offering employment the Employment Service shall not discriminate against a person on account of his age, sex, race, religion, nationality, State of origin, views or membership in a political party, and a potential employer will not refuse to admit a worker on these grounds, whether or not he was sent to work through the Employment Service.

> (b) It will not be considered discrimination when the nature or essence of the position or matters of State security prevent the referral or admission of a person to the said position.
>
> 42A. An employer in need of employees shall not advertise a job offer which constitutes discrimination under Article 42."

112. This law became less central with the enactment in 1988 of the Equal Employment Opportunities Law 1988, and even more so when substantially amended in 1995. The latter law includes various norms, the principal one being the following (see the full text in annex 2 to this report):

> "2.(a) An employer shall not discriminate between his employees or job-applicants on account of their sex, sexual orientation, personal status, parenthood, age, religion, nationality, State of origin, views or membership in a political party, in relation to all of the following:
>
> 1. Hiring;
>
> 2. Job conditions;
>
> 3. Job promotion;
>
> 4. Vocational training or advanced studies;
>
> 5. Firing or Termination Compensations;
>
> 6. Retirement benefits and payment granted to an employee;
>
> "(b) For the purposes of subsection (a) the introduction of irrelevant conditions will be considered discriminatory.
>
> "(c) It will not be considered discrimination under this article when the act is necessarily linked to the nature or essence of the job or position.
>
> "2A. (a) an employer shall not require from a job applicant or an employee the details of his military health classification and will refrain from using that information, if he learns about it, in any matter enumerated in article 2(a)(1)-(6).
>
> "(b) ...
>
> "(c) ...
>
> "(d) In this article, 'military health classification' - is the numeric symbol the Israel Defense Force attributes to a person to indicate his medical compatibility to military service in the various units and positions in the Israel Defense Force."

113. The Equal Employment Opportunities Law 1988 is a modern statute, including various enforcement mechanisms, some of which were unprecedented in Israeli labour law. Breach of the Law constitutes both a civil wrong and a

criminal offence. Civil proceedings can be initiated by a worker, a trade union or a civil rights movement. The courts are given special competence to grant compensation even when no material damage was caused. Special protection is granted to a worker filing a complaint under the Law. Supervision and enforcement authority is given to the Minister of Labor and Social Affairs.

114. The Enforcement Division of the Ministry examines complaints from individuals and initiates its own investigations. In 1996, workplaces employing more than five persons were investigated for possible violations relating to sexual harassment at work, discrimination in hiring, promotion and wages, exercise of parents' rights and discriminatory advertisements offering employment.

115. Since the enactment of the Law in 1988 relatively few cases of discrimination at work have been brought to the courts, most of these being for unlawful publication of job advertisements. The 1995 amendment brought about a few more cases, but the main deterrent factor has continued to be the apparent lenience of the courts, apparent mainly in the small sums awarded in compensation.

116. The National Labor Court recently issued a decision promising to become a landmark case. Not only was the compensation award significantly upgraded, the Court made important statements that will undoubtedly enhance the importance of this Law:

> "Human beings were born in the image of God. However, they did not descend upon this world as identical to each other. Every person possesses an individual character, his own physiological features and different colour of skin. Hence, in some aspects it may be the case that these differences should lead to differentiated treatment. For example, when different physiological features are involved, different medical treatment may be warranted on that account. However, the basic proposition should be that despite the difference between persons, every human should be treated equally as such."
>
> "Equality was considered by our jurisprudence, both that of the Supreme Court and that of the National Labor Court, as a fundamental right, even before the enactment of the Basic Law, 'The right has graduated' and is now a constitutional right. I do not believe that human dignity and freedom can be discussed without equality, and equality on the job even the more so. A substantial part of our lives is spent in work, and discrimination and degradation cannot be tolerated at the workplace.
>
> "... [T]he right to equal treatment is a fundamental value of democratic system of law. When we discuss equality, we address both formal and substantive equality. Formal equality requires prima facie that people of equal virtues shall receive equal treatment. On the other hand, substantive equality requires that people, even if they differ in irrelevant features, shall receive equal treatment - not necessarily an identical job, but an equal opportunity to receive a suitable job.

> "In light of the above-mentioned, it can be concluded, that the underlying ideas behind the standard of behaviour required from a potential employer, is that the questions [in the job interview] shall not include any trace of a stereotyped approach. It should be asked whether the mere asking of a question characterized by stereotyped thinking during a personal interview or on tender invitation forms, is sufficient to hold the potential employer liable. I believe it is enough. Furthermore, when the required qualifications are typically better suiting men than women, it must be shown that the required advantage is necessary linked to the position offered, and that it is impossible to settle for any less. The correct avenue is to examine the person on his own merits, and not the features of the group to which he belongs."
> National Labor Court case 1997/3-129 Plotkin v. Eisenberg Brothers Ltd., pp. 6, 8-11, 21.

117. The prohibition of discrimination on the basis of sexual orientation was strongly promoted in 1995 by a comprehensive Supreme Court decision, in which an employer was ordered to grant an employee's homosexual partner a certain work-benefit intended for a worker's spouse. This ruling has clear implications for cases of discrimination in hiring.

118. Discrimination on the basis of religion is also specifically covered by article 9C of the Work and Rest Hours Law 1951. This provision prohibits refusal to hire an employee who refuses to work on his religious holidays and prohibits forcing such a worker to pledge to work on such days as a condition for being hired.

119. The significance of all the above goes beyond discrimination in recruitment and covers the whole of labour relations, but discrimination in recruitment is one of the contexts where the statute should prove most influential. This is particularly so in view of the known tendency of workers to refrain from suing their employer as long as the relation is ongoing, and in view of the fact that discrimination in recruitment results in no labour relations at all.

120. Most discrimination cases concern gender discrimination. There is in Israel no data relating to other kinds of discrimination, besides the complex issue of foreign workers dealt with below.

Factual situation

121. Presented below are statistics available on the actual situation in Israel regarding vocational guidance, vocational training, employment and occupation, according to conditions relevant to the non-discrimination principle. It should be noted at the outset that statistics by race or colour are not considered relevant to Israel and are not collected.

(i) Vocational training

122. Shown below are statistics for 1996 on adults in vocational training programmes of the Ministry of Labor and Social Affairs, by sex and population group:

	Thousands	Per cent
All students	130.0	100.0
Men	76.7	59.0
Women	53.3	41.0
Jews	113.5	87.3
Arabs and others	16.5	12.7

Source: Israel, Ministry of Labor and Social Affairs Vocational Training Division.

(ii) Employment

123. Data for 1996 of employed persons by sex and population group are shown below:

	Thousands	Per cent
All employed persons	2 012.8	100.0
Men	1 147.0	57.0
Women	865.8	43.0
Jews	1 753.3	87.1
Arabs and others	259.5	12.9

Source: Israel, Central Bureau of Statistics, Labour Force Survey, 1996.

(iii) Occupation and continent of birth

124. Data for 1995 of Jewish employed persons by continent of birth and occupation are shown in the following table, presenting, for 1995, employed persons by occupation, sex and population group. According to the data in this table, more than a quarter of employed Israelis work in academic professions or technical occupations; a third are clerical and sales personnel and 25 per cent are skilled workers, primarily in industry and construction:

	1995			
	Jews			
Occupation and sex	Total	Israel-born	Asia/Africa	Europe N. America
	(Thousands)			
Grand total 1/	1 715.3	945.5	267.3	496.4
Academic professionals	212.3	111.7	15.5	84.5
Other professionals and technicians	245.9	146.9	26.3	71.9
Managers	92.7	58.2	12.8	21.6
Clerical workers	309.0	204.9	40.6	62.7
Agents, sales and service workers	300.4	170.4	56.5	72.6
Skilled agricultural workers	36.9	24.3	6.0	6.5
Industry, construction and other skilled workers	364.6	171.8	70.2	121.0
Unskilled workers	136.0	47.3	35.9	51.9
Males - Total	931.9	494.8	163.9	270.1
Academic professionals	112.2	54.4	10.5	47.0
Other professionals and technicians	95.8	54.5	11.1	29.9
Managers	74.2	46.1	11.5	16.6
Clerical workers	83.0	45.4	16.9	20.4
Agents, sales and service workers	137.4	82.0	26.5	28.6
Skilled agricultural workers	31.4	21.5	5.0	4.8
Industry, construction and other skilled workers	316.3	157.5	62.0	95.3
Unskilled workers	68.2	25.9	17.1	24.7
Females - Total	783.4	450.7	103.4	226.3
Academic professionals	100.1	57.3	5.0	37.5
Other professionals and technicians	150.1	92.4	15.2	42.0
Managers	18.5	12.1	1.3	5.0
Clerical workers	226.0	159.5	23.7	42.3
Agents, sales and service workers	163.0	88.4	30.0	44.0
Skilled agricultural workers	5.5	2.8	-1.0	1.7
Industry, construction and other skilled workers	48.3	14.3	8.2	25.7
Unskilled workers	67.8	21.4	18.8	27.2

Source: Israel, Central Bureau of Statistics, Labour Force Survey, 1996.

1/ Includes persons whose occupations are unknown.

125. With respect to the continent of birth, as of 1995, more than half (55 per cent) of the Jewish employed population was born in Israel. Of the remainder, 16 per cent are immigrants from Asian and African countries and 29 per cent from European and North and South American countries. By occupation, almost a third of those Jews born in Europe and the United States worked in academic and professional occupations, compared with 27 per cent of the Israeli-born and 16 per cent of those born in Asia and Africa. Among all three groups, about 20-25 per cent were employed as skilled workers in industry and construction.

126. As apparent from the data in table 2 of this section's annex, among the Israeli Arab working population, of whom the overwhelming majority are men, half worked as skilled labour in industry and construction. Labour force participation is very low among Israeli Arab women. Of those who are employed, a quarter work in academic and professional fields, 35 per cent are clerical and sales workers and an additional 35 per cent are employed in industry as skilled and unskilled labour.

Foreign workers

127. The phenomenon of foreign workers is not unique to Israel. Statistics from the ILO show that around a third of the developed countries have absorbed significant amounts of this workforce. 1/

128. Until recently the bulk of foreign workers in Israel were Palestinians from the West Bank and Gaza Strip. With the increase in the number of terrorist attacks and the concomitant need to close off the territories, a large number of workers came to Israel from all over the world, in particular from Romania and other Eastern European countries, the Philippines, Thailand and other countries in South-East Asia, Africa and South America. They are nearly all employed in the building sector, agriculture, nursing and hotels; a small number are employed in industry and public services.

129. Out of around 2,131,400 workers in Israel in 1996, about 118,000 were foreign workers with permits: 94,000 from all around the world and around 24,000 Palestinian workers from the West Bank and Gaza Strip.

130. The exact number of foreign workers without permits is unknown. The estimate of the Israeli Employment Service is that as of summer 1997 there were 100,000 such workers.

131. As the various types of foreign workers now constitute some 10 per cent of the Israeli workforce, the State has been forced to take a number of steps, as set out below, making a definite distinction between the legal and the practical aspects of the problem.

1/ W.R. Buhaning, The Employment of Foreign Workers - A Guide for Policy and Practice, International Labour Office, Geneva, p. 1.

Foreign workers and total employment in Israel: 1996, 1991 and 1988 (thousands)

	1988	1991	1996
All employed	1 497.9	1 652.1	2 131.4
Israelis	1 453.1	1 583.3	2 012.8
Palestinian workers (with permits)	41.5	60.7	24.2
Other foreign workers (with permits)	3.3	8.1	94.4

Source: Israel: Central Bureau of Statistics and Employment Service.

(i) The legal status of foreign workers in Israel

132. It should be noted at the outset that in addition to being a party to the current Covenant, Israel is a party to the ILO. Migration for Employment Convention (Revised) 1949 (No. 97) (Israel's last report covers the years 1988-1994) and to the Maintenance of Migrants' Pension Rights Convention, 1935 (No. 48) (Israel's last report covers the years 1979-1982).

133. As prescribed by international law and the basic principles of the legal system in Israel, one can safely say that the law in Israel does not discriminate between foreign workers and resident Israeli workers:

> The Equal Employment Opportunity Law 1988 prohibits discrimination on the basis of "nationality" or "State of origin" as regards granting work opportunities and determining conditions of work;
>
> The labour laws in Israel that determine the basic rights of the worker (minimum wage, hours of work and rest, prohibition on delaying salary payment, severance pay, safety in the workplace, etc.) apply to every "worker", irrespective of his/her citizenship. This is also the case with regard to other rights stemming from collective agreements and extension orders;
>
> Educational services are provided without distinction to the children of Israeli residents and to the children of foreign workers;
>
> With regard to health services, a distinction should be made between emergency services, granted without distinction to anyone arriving at the outpatients emergency ward of hospitals, and health insurance and other services to which the foreign worker is not entitled on the basis of the National Health Insurance Law 1994. The foreign worker is thus required to insure himself. The exception to this are the three branches of National Insurance - work accidents, maternity and

childbirth - which apply by law (the National Insurance Law (revised version) 1995) to all "workers", as opposed to the other branches which are dependent on the person being a "resident";

Welfare services are provided to foreign workers and their families without distinction. There is a statutory requirement on the relevant authority to intervene (such as in the event of violence in the family, sexual assault of minors, neglect of minors, adoption, etc.). As regards other services which are provided to Israelis as part of the benefit programme of the Ministry of Labor and Welfare, the policy is to distinguish between legal and illegal workers: legal workers are entitled to the services provided to Israeli residents, while illegal workers are entitled to emergency services only, with the view to assisting them and their families in leaving the country.

(ii) The reality with regard to foreign workers in Israel

134. In reality, as opposed to the legal situation, foreign workers are more vulnerable than other workers to the possibility of being exploited by employers and the various employment agencies.

135. The employing a foreign worker requires a special residence permit which the relevant employer has taken out for the explicit purpose of the worker working with him alone. In applying the Entry into Israel Law 1952, the Ministry of the Interior makes the granting of a residence permit for the purposes of work conditional on receiving a permit from the Employment Service. The Employment Service in this area operates according to a policy which determines those sectors which require foreign workers, setting quotas for each sector. To get a permit from the Employment Service, the employer has to leave a monetary guarantee of several thousand new shekels to guarantee that the worker will remain with him and leave the country on completion of the work. The employer undertakes in writing to provide the worker with adequate housing, to pay his medical insurance, and to give the worker a copy of his employment contract in a language which the worker understands.

136. The authorities are thus faced with a dilemma. On the one hand is the need to reduce the foreign workforce and in particular combat the phenomenon of remaining in Israel illegally. On the other, it is impossible to ignore the vulnerability of foreign workers, including those with proper work permits. Hence government policy is to act on two levels: to improve enforcement and prevent illegal entry into the country, including returning illegal workers to their country of origin; and improving the help provided to legal foreign workers in enforcing their rights.

137. Below are the main steps currently being taken in the legal and administrative spheres so as to achieve the Government's target of reducing the number of foreign workers while combating discrimination against them.

(iii) The Foreign Workers Administration

138. In 1996, the Government decided to set up the Foreign Workers Administration. The move stemmed from the fear of losing control over the number of foreign workers and from the experience of European countries in this area where the increasing number of foreign workers was accompanied by serious social problems (xenophobia, unemployment, crime, etc.). The job of the Administration is to coordinate the activities of the various authorities involved so as to improve both enforcement of the law and the care for the foreign workers themselves, particularly those in Israel with a permit. The Minister of Labour and Social Affairs is the head of the Ministerial Committee dealing with foreign workers. On 1 June 1997 a full-time chairperson was appointed to the Administration and the body began to work.

139. The first goal set by the Government for the Administration is to curb the phenomenon of workers without permits and gradually reduce the number of permits by 500 workers a month. In the four months since its setting up the Administration recorded a drop of 15,000 in foreign workers with permits.

140. The second goal for the Administration is to coordinate the various non-profit organizations on behalf of the foreign workers, in particular those in Israel with permits, and also directly help the workers themselves by providing information on their rights. However, the Administration is currently still preoccupied with trying to curb the increase of foreign workers, so it will be a while before it can concentrate on providing actual help to foreign workers.

(iv) Legal initiatives

141. The Foreign Employees (Unlawful Employment) Law 1991 sets out criminal prohibitions on employers and employment agencies with respect to employment or detention of a worker without a permit.

142. The power of enforcement under the above law resides with the Minister of Labour and Social Affairs. In the enforcement unit of the Ministry of Labor and Social Affairs 63 inspectors are currently employed, half of whom are assigned to the subject of foreign workers. Eighteen of these are employed in tracking down foreign workers in Israel without permits, 6 investigate the living conditions of foreign workers and 10 investigate their conditions of work and pay. The inspectors are empowered to impose fines on employers who have not paid workers; however, they are unable to compel the employer to pay the unpaid salary. In special cases the inspectors can bring an indictment, such as where the offences are recurrent or particularly serious. For the purposes of tracking down and expelling illegal workers a joint operation is conducted with the Police and the Ministry of Interior, since inspectors of the Ministry of Labor and Social Affairs are not empowered to deport individuals.

143. A government bill is designed to compel employers to provide proper living conditions for their foreign workers, to issue each foreign worker with a copy of his or her contract in a language the worker understands, and to provide health insurance. The bill increases the severity of the punishments that can be meted out to employers, improves the supervision capacity of the Minister of Labour and Social Affairs, and confers supervisory powers on the new bodies described above. The bill is currently at an advanced stage of becoming law.

144. It should be noted that the proposed law is exceptional in terms of the duties it imposes on employers in Israel. It is not normally acceptable in Israeli labour law (as elsewhere) to impose such direct duties on the employer by means of legislation. These are normally obligations which employers accept on themselves, as part of collective agreements, if at all. The measure being introduced here stems from regarding legal foreign workers as requiring greater protection than that granted local workers.

145. Thus, government policy is on the one hand to increase supervisory control and enforcement so as to reduce the phenomenon of foreign workers, and on the other to take steps for the protection of the rights and welfare of legal foreign workers.

Distinctions explicitly permitted

146. Article 2 (c) of the Equal Employment Opportunities Law 1988 cited above explicitly states that the non-discrimination prohibition does not apply when a distinction is "necessarily linked to the nature or essence of the job or position". It is not clear yet how this rule will be interpreted, but inference can be made by analogy from the famous High Court of Justice decision in the Alice Miller case. The court overturned the Israeli Air Force's refusal to recruit a woman to its air-pilot training course. The argument that the position was inherently suitable for men only was rejected by the court, which forced the Air Force to recruit Mrs. Miller, stating:

> "The right to dignity, which encompasses the prohibition of discrimination against women, is one of the most important and fundamental human rights. As a rule, humiliating a woman through discrimination on a gender basis constitutes a grave insult to her person."
> H.C. 4541/93 Miller v. Minister of Defense, P.D. vol. 49 (4) 94, 141.

147. There also exist statutory provisions giving priority to military veterans, single mothers and new immigrants in the domains of recruitment and vocational training. Such preferences are considered legitimate in the light of the special difficulties these categories of workers usually face because of their social condition. They have never been challenged in the courts.

Table 1. Employment and unemployment of Israelis: situations, levels and trends: 1996, 1991 and 1986

				Per cent change		
	1996	1991	1986	1986-1996	1991-1996	1986-1991
Total population						
Aged 15 and over (thousands)	4 019.9	3 427.7	2 906.3	38.3	17.3	17.9
In civilian labour force:						
Number (thousands)	2 156.9	1 770.4	1 471.9	46.5	21.8	20.3
Participation rate (%)	53.7	51.7	50.6			
Employed (thousands)	2 012.8	1 583.3	1 367.9	47.1	27.1	15.7
Unemployed						
Number (thousands)	144.1	187.2	104.0	38.6	-23.0	80.0
Unemployment rate (%)	6.7	10.6	7.1			
Jews						
Aged 15 and over (thousands)	3 362.6	2 902.2	2 479.7	35.6	15.9	17.0
In civilian labour force:						
Number (thousands)	1 880.2	1 556.4	1 302.9	44.3	20.8	19.5
Participation rate (%)	55.9	53.6	52.5			
Employed (thousands)	1 753.3	1 391.6	1 216.4	44.1	26.0	14.4
Unemployed						
Number (thousands)	127.0	164.7	86.5	46.8	-22.9	90.4
Unemployment rate (%)	6.7	10.6	6.6			
Men						
Aged 15 and over (thousands)	1 959.7	1 678.9	1 429.8	37.1	16.7	17 4
In civilian labour force:						
Number (thousands)	1 217.8	1 042.7	903.6	34.8	16.8	15.4
Participation rate (%)	62.1	62.1	63.2			
Employed (thousands)	1 142.0	952.8	844.9	35.8	20.4	12.8
Unemployed						
Number (thousands)	70.8	89.9	58.7	20.6	-21.2	53.2
Unemployment rate (%)	5.8	8.6	6.5			

Table 1 (continued)

	1996	1991	1986	Per cent change 1986-1996	Per cent change 1991-1996	Per cent change 1986-1991
Women						
Aged 15 and over (thousands)	2 060.1	1 748.9	1 476.8	39.5	17.8	18.4
In civilian labour force:						
Number (thousands)	939.1	727.9	568.6	65.2	29.0	28.0
Participation rate (%)	45.6	41.6	38.5			
Employed (thousands)	865.8	630.4	523.7	65.3	37.3	20.4
Unemployed						
Number (thousands)	73.3	97.5	44.9	63.2	-24.8	117.1
Unemployment rate (%)	7.8	13.4	7.9			
Arabs and others						
Aged 15 and over (thousands)	657.3	525.5	427.1	53.9	25.1	23.0
In civilian labour force:						
Number (thousands)	276.6	214.1	169.4	63.3	29.2	26.4
Participation rate (%)	42.1	40.7	39.7			
Employed (thousands)	259.5	191.6	151.6	71.2	35.4	26.4
Unemployed						
Number (thousands)	17.2	22.4	17.8	-3.3	-23.2	25.8
Unemployment rate (%)	6.2	10.5	10.5			
Population aged 15 to 17						
Aged 15 and over (thousands)	303.2	287.7	240.1	26.3	5.4	19.8
In civilian labour force:						
Number (thousands)	38.5	31.6	30.2	27.5	21.8	4.6
Participation rate (%)	12.7	11.0	12.6			
Employed (thousands)	30.9	22.6	23.0	34.3	36.7	-1.7
Unemployed						
Number (thousands)	7.6	7.5	6.2	22.6	1.3	21.0
Unemployment rate (%)	19.7	23.7	20.5			

Table 1 (continued)

	1996	1991	1986	Per cent change 1986-1996	1991-1996	1986-1991
Population aged 18 to 24						
Aged 15 and over (thousands)	698.9	580.2	490.5	42.5	20.5	18.3
In civilian labour force:						
Number (thousands)	304.2	238.5	198.7	53.1	27.5	20.0
Participation rate (%)	43.5	41.1	40.5			
Employed (thousands)	265.3	173.9	152.8	73.6	52.6	13.8
Unemployed						
Number (thousands)	38.9	52.9	37.0	5.1	-26.5	43.0
Unemployment rate (%)	12.8	22.2	18.6			
Population aged 45 to 54						
Aged 15 and over (thousands)	553.1	397.3	341.0	62.2	39.2	16.5
In civilian labour force:						
Number (thousands)	422.1	284.3	231.4	82.4	48.5	22.9
Participation rate (%)	76.3	71.6	67.9			
Employed (thousands)	402.9	243.0	202.8	98.7	65.8	19.8
Unemployed						
Number (thousands)	19.2	19.5	7.7	149.4	-1.5	153.2
Unemployment rate (%)	4.5	6.9	3.3			
Population aged 55 to 65						
Aged 15 and over (thousands)	383.3	336.0	309.0	24.0	14.1	8.7
In civilian labour force:						
Number (thousands)	188.7	167.2	147.0	28.4	12.9	13.7
Participation rate (%)	49.2	49.8	47.6			
Employed (thousands)	179.6	143.0	130.8	37.3	25.6	9.3
Unemployed						
Number (thousands)	9.1	12.1	3.0	203.3	-24.8	303.3
Unemployment rate (%)	4.8	7.2	2.0			

Table 1 (continued)

				Per cent change		
	1996	1991	1986	1986-1996	1991-1996	1986-1991
Residing in development areas						
Aged 15 and over (thousands)	417.9	304.9	N/A	-	37.1	-
In civilian labour force:						
Number (thousands)	218.9	159.9	N/A	-	36.9	-
Participation rate (%)	52.4	52.4	N/A	-		
Employed (thousands)	195.9	121.9	N/A	-	60.7	
Unemployed						
Number (thousands)	23.0	24.6	N/A	-	-6.5	
Unemployment rate (%)	10.5	15.4	N/A	-		
New immigrants 1/						
Aged 15 and over (thousands)	523.8	211.0	N/A	-	162.5	
In civilian labour force:						
Number (thousands)	296.0	96.4	N/A	-	207.1	
Participation rate (%)	53.4	45.7	N/A	-		
Employed (thousands)	268.6	59.3	N/A	-	353.0	
Unemployed						
Number (thousands)	27.4	37.1	N/A	-	-26.1	
Unemployment rate (%)	9.3	38.5	N/A	-		

Source: Israel Central Bureau of Statistics, Labour Force Surveys.

1/ Arrivals from 1990 onwards.

Table 2. Employed persons by occupation, sex and population group, 1995

Occupation	Grand total			Jews			Arabs and others		
	(in thousands)								
	Total	Males	Females	Total	Males	Females	Total	Males	Females
Total	2 012.8	1 146.9	865.8	1 753.3	941.9	811.4	259.5	205.0	54.5
Academic professionals	243.3	130.9	112.4	230.6	121.2	109.3	12.7	9.7	3.1
Other professionals and technicians	274.5	111.2	163.3	253.9	102.4	151.5	20.6	8.58	11.9
Managers	104.3	83.3	21.0	100.3	79.6	20.7	3.9	3.7	0.3
Clerical workers	332.2	89.5	242.7	316.6	82.9	233.7	15.6	6.6	9.0
Agents, sales workers and service workers	343.3	164.0	179.3	308.0	139.0	169.1	35.3	25.0	10.3
Skilled agricultural workers	41.5	36.2	5.3	34.0	30.0	4.7	6.8	6.2	0.6
Industry, construction and other	487.6	427.3	60.4	359.8	310.1	49.7	127.9	117.2	10.7
Unskilled workers	170.4	92.4	78.0	135.7	66.1	69.6	34.7	26.3	8.4
Unknown	15.6	12.2	3.4	13.7	10.6	3.2	1.9	1.6	0.3
	Percentage distribution								
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Academic professionals	12.2	11.5	13.0	13.3	13.0	13.5	4.9	4.8	5.7
Other professionals and technicians	13.7	9.8	18.9	14.6	11.0	18.7	8.0	4.3	21.9
Managers	5.2	7.3	2.4	5.8	8.5	2.6	1.5	1.8	0.6
Clerical workers	16.6	7.9	28.1	18.2	8.9	28.9	6.1	3.2	16.6
Agents, sales workers and service workers	17.2	14.5	20.8	17.7	14.9	20.9	13.7	12.3	19.0
Skilled agricultural workers	2.1	3.2	0.6	2.0	3.2	0.6	2.6	3.0	1.1
Industry, construction and other	24.4	37.7	7.0	20.7	33.3	6.1	49.7	57.6	19.7
Unskilled workers	8.5	8.1	9.0	7.8	7.1	8.6	13.5	12.9	15.5

Source: Israel, Central Bureau of Statistics, Labour Force Survey, 1996.

Article 7 - Just and favourable conditions of work

Related international conventions binding Israel

148. Israel is a party to numerous related ILO conventions. The following are those of the most general application:

Equal Remuneration Convention, 1951 (No. 100) since 1965; last report relates to the years 1991-1993;

Weekly Rest (Industry) Convention, 1921 (No. 14) since 1951; last report relates to the years 1990-1993;

Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106) since 1961; last report relates to the years 1990-1993;

Labor Inspection Convention, 1947 (No. 81) since 1955; last report relates to the years 1989-1990;

Holidays with Pay Convention, 1936 (No. 52) since 1951; last report relates to the years 1990-1993;

Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19) since 1958; last report relates to the years 1991-1995.

Remuneration

Methods for fixing wages

149. The Wage Protection Law 1958 is the legal source in Israel of an employee's right to remuneration for his or her work. This law defines "wages" in the broadest fashion, determines the time for the payment of wages, creates a right to "wage delay compensation" (including "compensation for delay in severance pay"), prohibits certain deductions from wages and creates a supervisory system under the authority of the Ministry of Labor and Social Affairs (see the full text in annex A to this report).

150. It is fair to say, however, that wages are fixed in Israel primarily by collective agreements and extension orders and only secondarily by individual labour contracts (notwithstanding the Minimum Wage Law dealt with under the next section). The Wage Protection Law does not stipulate the level of remuneration. Even with respect to modes of payments, it leaves much room for collective bargaining to set different arrangements than those prescribed by the law. Moreover, according to section 21 of the Collective Agreements Law 1957, collective agreements can only add to the minimum rights laid down by protective labour statutes - as they in fact do. Similarly, individual labour contracts can only add to the employee's rights laid down by statute or by an applicable collective agreement.

151. As a matter of fact, the vast majority of employees in Israel are covered by collective agreements. The exact number is hard to determine, but it is normally estimated at around 80 per cent. Collective agreements determine scales of wages unique to each trade union. This has created a complex system of occupational and national wage scales. Even when these scales are formally autonomous, they interact with one another in the course of collective bargaining because of workers' demands for adjustments and linkages.

152. The effectiveness of collective bargaining in wage-fixing is enhanced by the use of "extension orders" under sections 25-33G of the Collective Agreements Law 1957 (see the full text in annex A to this report). The most significant example in this respect relates to "cost-of-living increment". This wage adjustment system, essential in a market used to high levels of inflation, is activated by collective bargaining at the national level, between the most representative organizations of employees and employers. The outcome is then extended by administrative order to all employees in Israel.

153. Were it not for the Labor Courts, the complexity of the wage system would lead to abuses of workers. The Courts have already produced a tremendous corpus of case law, and they are still playing a crucial role in securing workers' rights. A good illustration is the complex task of distinguishing the "basic wage" from special "wage supplements". Such supplements come into being for various reasons, some genuinely related to aspects of the work done, others merely bogus. Bogus wage supplements endanger the basis of wages in general, and undermine the wage protection rules laid down by the law. The Courts' contribution here is in looking beyond the denomination of a wage supplement and at its real substance, always bearing in mind the legitimate interests of the employee.

Minimum wages

154. The Minimum Wage Law 1987 imposes a duty to pay no less than the determined minimum wage. Violation of this is both a civil wrong and a criminal offence.

155. The main feature of this statute is that its provisions determine the minimum wage and the mechanism for its adjustment, leaving no room for collective or individual bargaining.

156. "Minimum wage" means, after the 1997 amendment, 47.5 per cent of the "average wage". The "average wage" is in turn determined by the National Insurance Law 1995 according to the actual distribution of income in the market (see further information on "average wage" under article 9 of the Covenant). In setting the minimum wage at 47.5 per cent of the average wage, the Minimum Wage Law takes into account the needs of workers and their families. As recognized by the National Labor Court:

> "The machinery for adjusting the minimum wage was also amended in 1997. The basic calculation is made on the 1st of April each year. This basis must be increased in accordance with changes made in wages by general collective agreement, each time such changes occur (section 4)."

157. The table below shows minimum and average wages in 1986, 1991 and 1996 in relation to the cost-of-living index:

Period	Minimum wage per month	Average wage per month	Cost-of-living index	Minimum wage to average wage
	(Current NIS)		(1987 = 100.0)	(%)
1986	347	1 071	83.4	32.4
1991	1 161	2 656	194.9	43.7
1996	1 996	4 876	333.1	40.6
	Per cent changes			
1986-1991	234.6	148.0	133.7	-
1991-1996	71.9	83.6	70.9	-
1986-1996	475.2	355.3	299.4	-

Source: Israel, Ministry of Labor and Social Affairs and Central Bureau of Statistics.

158. Since the coming into effect of the Minimum Wage Law in 1987, there has been a serious erosion in the minimum wage. The minimum wage in 1991 was in fact 44 per cent of the average wage and even dropped to 41 per cent in 1996. This failure of the minimum wage to keep pace with the rise in the general level of wages between 1991 and 1996 was a principal factor behind the 1997 amendments, which both raised the minimum wage from 45 per cent to 47.5 per cent of the average wage and improved the machinery of adjustment, mostly by increasing the frequency of adjustments.

159. Another important feature of this law is that it applies to all "employees". A distinction is nevertheless made in the law itself on the basis of age. The legal arrangements described above constitute the general rule and apply to employees aged 18 or over (sect. 2). Employees under the age of 18 also have the right to a minimum wage, but the content of the rules differs. Section 16 of the Law empowers the Minister of Labor and Social Affairs, with the approval of the Knesset Committee for Labor and Social Affairs, to set different standards for young employees. Ministerial Orders issued under this authority in 1987 set a lower minimum wage, ranging from 60 per cent to 83 per cent of the regular minimum wage, according to the youngster's age, the kind of wages paid and whether he or she is an "apprentice".

160. The Minimum Wage Law also gives the Minister of Labor and Social Affairs supervisory and enforcement powers. The Enforcement Division of the Ministry investigates reports from the public of suspected violations of the Law. The Enforcement Division also initiates its own inspections of the various sectors of the economy and in the regions, industries, and enterprises known to be especially problematic with regard compliance with the the Law (i.e. employers of foreign workers).

161. When a violation is discovered, a letter of warning is sent to the employer. If the violation is rectified, including compensation for any prior periods of failure to pay the legal minimum wage, then no further action is taken. Almost all cases (99 per cent) are settled in this way rather than through taking legal action against the employer. The Enforcement Division reinvestigates former violators periodically to check on continued compliance with the Law.

162. During 1996, the Enforcement Division investigated close to 3,000 enterprises, employing approximately 50,000 workers, with respect to compliance with the Minimum Wage Law. As a result of this supervision, more than 3,000 workers received compensation totalling NIS 1.5 million.

163. Finally, various provisions were added to the law in 1997 in an attempt to encourage employees to file complaints, in order to further promote the implementation of this basic right. Section 7A prohibits an employer from harming an employee with regard to his or her wage, promotion or other conditions of work or from dismissing him or her after claiming violation of the terms of this law. Section 8A empowers the courts to enforce the labour contract when compensation only is judged insufficient sanction. Last but not least, section 14A is intended to help workers of "manpower contractors" (see definition and details under article 6 of the Covenant), by rendering liable under the law the actual person for whom the employee works, in addition to the manpower contractor's liability as the legal employer. Considering that this category of workers seems to be one of those most affected by non-compliance with the Minimum Wage Law, this latter amendment should prove significant.

Equal pay for work of equal value

164. The legal history in the domain of equality of remuneration in Israel reveals an evolving public awareness. The Male and Female Workers Equal Pay Law 1996 totally reshaped the Male and Female Workers Equal Pay Law 1964. The main progress to be noted is a change of conception, from "equal pay for equal work" to "equal pay for work of equal value". The concept of "job analysis", crucial for comparing "work of equal value", is now for the first time given legal significance. The new law enables workers to go beyond the commonly used job descriptions, so as to conduct substantial comparisons between apparently different jobs.

165. The Law empowers the Labor Court to appoint a job analysis expert, whether by request of a party or on its own initiative (sect. 5). Discretion is left to the court to decide if the party or the State Treasury will bear the costs. Due to this Law, this field of expertise will undoubtedly develop. Mention should be made in this context of job analysis and classification

undertaken by the Vocational Guidance Division of the Employment Service, for the use of individuals as well as the Vocational Training Department of the Ministry of Labor and Social Affairs.

166. These concepts are relatively new in the Israeli labour market, so it is too soon to evaluate the Law's impact. But the legal development is in itself remarkable. This relative activism on the part of the legislator is due to recognition of the fact that the legal system has traditionally failed to secure equality of remuneration between men and women. The fact that this is the case in most, if not all, industrial countries has not deterred the Knesset from action.

167. Nevertheless, the overall trend in Israel is one of slow improvement. Women's hourly average wages are still lower than those of men. Over the past 20 years, women's hourly wages have risen somewhat on the average relative to those of men: from 77 per cent in 1975 to about 81 per cent in 1995. By occupation, as shown below, women earned most compared to men (89.5 per cent) in the category "other professionals and technicians" which includes principally kindergarten and primary school teachers, practical engineers and technicians, nurses and paramedical workers. Women earned least relative to men (57 per cent) as skilled workers in industry and construction.

Urban wage and salary workers:

Women's hourly wages as a per cent of men's hourly wages, 1995

Occupation	Per cent
Total	80.7
Academic professionals	79.4
Other professional and technicians	89.5
Managers	75.3
Clerical workers	75.8
Sales and services workers	64.2
Skilled workers in industry and construction	56.9
Unskilled workers	78.3

Source: Israel, Central Bureau of Statistics, Income Surveys, 1995.

168. In the civil service there was a salary gap of 29 per cent between men and women's average monthly salary for full-time work in 1988, slightly diminishing to 28 per cent in 1990 (Efroni 1990). Recent data supplied by the Treasury Department indicates a further decrease down to a gap of 24 per cent in 1996 (CEDAW, pp. 139-142).

Income distribution of employees

169. Shown below are the few data available on income distribution in Israel. No differentiation is made here between workers in the public and private sectors, nor between actual pay and non-monetary benefits.

Urban employees by sex and by income from wages and per hour salaries, 1995

Hourly wage group (NIS)	Total	Men	Women
All employees (thousands)	1 535.0	837.9	697.1
Percentage distribution	100	100	100
Up to 7.9	6.1	4.3	8.3
8.00 - 11.99	17	14.2	20.3
12.00 - 15.49	16.7	17.3	16.1
15.50 - 19.99	16.5	17.4	15.4
20.00 - 29.99	19.8	20.3	19.1
30.00 - 49.99	17.1	17.8	16.4
50.00 and over	6.9	8.8	4.6
Average hourly wage (NIS)	24	25.9	20.9

Source: Israel, Central Bureau of Statistics, Income Surveys, 1995.

170. Additional data on distribution of income is gathered in Israel not by wage and salary of workers, but by households headed by such workers. The table below provides further data on income distribution among such households:

Urban households headed by wage-earning and salaried workers by deciles of gross monthly money income per household and by characteristics of household head, 1995

	Deciles of income										
	Total	1	2	3	4	5	6	7	8	9	10
Upper limit of decile (NIS)	-	2 834	3 810	4 679	5 606	6 655	7 850	9 397	11 820	15 809	-
Gross money income per household (NIS)	8 320	2 050	3 340	4 234	5 161	6 127	7 237	8 578	10 547	13 667	22 228
Average age of household head	40.4	36.5	37.6	37.6	38.7	39.5	40.8	40.8	42.5	44.0	45.9
Average persons per household	3.9	2.6	3.4	3.9	3.9	4.1	4.0	4.1	4.4	4.1	4.2
All household heads	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Year of schooling											
up to 8	12.5	23.6	19.2	17.0	16.2	13.4	10.7	9.1	8.9	5.4	1.4
9-12	43.5	43.2	50.9	47.7	49.9	49.5	47.9	44.6	45.7	34.5	21.5
13+	44.0	33.1	29.9	35.3	34.0	37.2	41.4	46.3	45.3	60.1	77.1
Age											
up to 34	35.4	56.2	49.3	46.0	40.3	38.0	34.8	33.2	24.2	20.0	12.3
35-54	50.7	30.4	37.8	43.3	46.6	50.6	50.7	53.7	63.0	61.2	69.4
55-64	11.4	8.4	9.7	8.8	10.9	9.6	11.7	11.5	11.3	16.3	16.3
65+	2.5	5.0	3.2	1.9	2.2	1.8	2.9	1.5	1.5	2.6	2.0
Jews - Total	88.1	81.2	80.6	80.8	81.1	88.8	90.5	91.7	93.7	95.1	97.5
Continent of birth											
Asia-Africa	16.2	17.4	17.6	12.9	12.6	16.4	18.0	19.8	19.3	16.6	11.7
Europe-America	28.8	31.0	27.0	27.8	31.5	31.2	29.4	28.4	24.4	28.9	28.2
Israel	42.7	32.3	35.1	39.6	36.6	44.0	42.6	43.1	50.0	49.7	57.4
Non-Jews - Total	11.9	18.8	19.4	19.2	18.9	11.2	9.5	8.3	6.3	4.9	

Source: Israel, Central Bureau of Statistics, Income Surveys, 1995.

171. The data shown above is of relative value for the present purposes, but is the best available. It relates to "income" from all jobs held by all earners in a household, together with allowances, overtime, premiums, income from self-employment, property, interests and dividends, pensions, etc. Non-recurrent income is not included. The demographic and educational characteristics detailed in the table refer to the head of household - i.e. the oldest working person. These data are not available by gender.

172. The data in the above table indicate a correlation between income in Israel and both the level of education and age. Income also tends to be higher among Jews than among non-Jews.

Occupational health and safety

173. Occupational health and safety at the workplace are protected in Israel by different legal arrangements. At the most basic level, social security and regular torts law entitle employees to compensation in the event of work-related injuries (see further detail under article 9 of the Covenant). In addition, protection of workers from work risks is promoted by different laws which create a rather complex regulatory scheme of standards and of institutions to monitor these standards.

174. The Work Safety Ordinance (New Version) 1970 is the main law defining standards for an appropriate environment for people to work in (see the full text in annex A to this report). It deals with safety in areas such as machinery, prevention of falls, entry into confined space, means of escape in the event of fire, etc. It also regulates health hazards, including the control of exposure to hazardous materials, medical supervision, the welfare of employed persons and the control of environmental factors such as temperature, ventilation, lighting, etc.

175. Many regulations have been enacted, in addition to this ordinance, which concern work safety and hygiene, including regulations which control exposure by setting occupational standards. These involve the periodic monitoring of the workplace environment and biological monitoring in order to detect early and minor changes of workers' health at a sub-clinical stage and remove workers from further exposure. These regulations refer to: asbestos, arsenic, benzene, noise, ionizing radiation, metals (lead, mercury, cadmium, chromium, etc.), organic solvents, pesticides and other substances. Some regulations prohibit the use of dangerous agents such as certain carcinogens. Others deal with issues such as safety on building sites or in electricity works, protecting workers by the obligatory use of personal protective gear and other measures.

176. The Labor Inspection (Organization) Law 1954 creates the legal basis for most of the organizations which deal with issues relating to safe and healthy working conditions in the State of Israel (see the full text in annex 1 to this report). The law creates regulatory organizations of various sorts: State organs, public corporation and private bodies. The following is a brief survey of this rather complex system.

The Inspection Service of the Ministry of Labor and Social Affairs

177. The Inspection Service is legally mandated to supervise labour safety, occupational hygiene and welfare in places where people work or are intended to work. The main targets of the inspection service are:

To prevent work accidents;

To prevent occupational diseases which can be caused by exposure to chemicals or physical hazards;

To raise the level of safety in workplaces where there are machines, processes, handling of materials, storage, etc.;

To maintain appropriate working conditions.

178. For these purposes the law empowers the Inspection Service's inspectors to issue safety orders, prohibiting the use of any machine, installation, equipment or material which endangers the welfare or health of a person. Another instrument is the improvement order by which the occupier of a workplace is required to comply with legal provisions relating to the safety, health, hygiene or welfare of persons working in the workplace. The inspectors carry out regular inspections, investigate work accidents and in general seek to use their authority to achieve the above-mentioned goals. They also supply technical information and advice to employers and workers on the most effective means of complying with legal requirements.

179. The Inspection Service employs 75 labour inspectors and runs the Industrial Hygiene Laboratory. In addition, there are 15 assistant labour inspectors whose main role is to visit workplaces to check working conditions; safety and occupational hygiene, and to instruct managers, supervisors and employees on the safety and health aspects of their work.

180. In 1996 the Inspection Service performed 60,761 inspections of workplaces: more than half of the visits were in industry and workshops, about 15,700 of the inspections were made on building sites, while the rest were at agricultural workplaces, harbours, gas and oil storage facilities, etc. The inspectors carried out 957 investigations of work accidents and cases of occupational disease. The Industrial Hygiene Laboratory performed 3,204 environmental tests in places of work measuring the levels of hazardous materials such as dust, gases and fumes in the air inhaled by workers. Other tests were performed to measure the levels of noise, temperature and other environmental factors.

181. There is a serious problem with traditional health and safety inspection techniques, because of the inability to supervise all places of work with the limited staff available. An inspector today has to check and inspect some 1,000 workplaces, a task which is virtually impossible to carry out in full. As a result, the Ministry of Labor and Social Affairs is now developing a new approach as follows:

Providing the opportunity for workplaces to adopt health and safety management standards which they may maintain themselves, allowing the labour inspectors to take a supervisory "back seat" role;

Emphasizing the prevention of hazards at source by obliging manufacturers and importers to introduce only equipment and materials which meet safety and health standards;

Creating a newly revised and up-to-date information system which will enable inspectors to focus their resources in areas needing priority attention. This information system will also be shared with other institutions like the Institute for Safety and Industrial Hygiene (see below) in deciding upon policy.

The Institute for Safety and Hygiene

182. The Labor Inspection (Organization) Law 1954 also created a specialized public corporation - the Institute for Safety and Hygiene. This institute is legally autonomous from the State but is under the ministerial responsibility of the Minister of Labor and Social Affairs. Its roles are to conduct courses and activities aimed at heightening safety awareness and to carrying out research and publishing its findings.

Private regulatory bodies

183. The law also mandates the occupiers of workplaces of more than 50 workers to appoint safety officers, who must be authorized by the Inspection Service. These officers have an important role. Their duty is to use their professional skills and knowledge to promote safety issues in workplaces. They have the legal power to stop any work, machine or process in the workplace if it creates an immediate danger to a worker.

184. The law also mandates the establishing of safety committees in workplaces with 25 employees or more. The duties of these committees are: to clarify causes and circumstances of work accidents; to propose measures for their prevention; to recommend improvements and to advise regarding safety regulations.

185. In addition, the employer has to provide all workers with updated information about hazards that exist in the workplace, and to instruct them on how to perform their work safely and to avoid occupational hazards. Furthermore, in every workplace with 50 employees or more a safety programme has to be prepared which includes a timetable to perform all changes and improvements needed to raise the level of safety in the workplace and maintain the workplace with minimum risk to workers.

186. All workers in the State of Israel are included in the existing protective schemes provided by law and benefit equally from them.

Data on work injuries, fatalities and injury compensation

187. The following table relates to work injuries in the State of Israel from 1992 to 1996:

Year	Number of injuries	Number of workers	Incidence (%)
1992	74 213	1 650 200	4.50
1993	74 701	1 846 900	4.04
1994	81 179	1 969 200	4.12
1995	84 884	2 093 000	4.05
1996	92 140	2 133 700	4.31

188. The following table relates to fatalities from work accidents 1995/1996:

Sector	1996	%	1995	%
Industry	22	25	24	30
Building	49	55	40	49
Agriculture	5	6	5	6
Quarries	1	1	1	1
Ports	1	1	0	0
Trains	1	1	0	0
Other	10	11	11	14
Total	89	100	81	100

189. The following statistics relate to the number of people receiving injury compensation in 1996 according to branches of work:

Total	92 274	
Self-employed	10 418	
Employed (salaried)	81 856	
of which:		
Agriculture, forest, fishing	5 050	6.2%
Industry, small industry	26 200	32.0%
Building	10 634	13.0%
Electricity, water	1 013	1.2%
Commerce, finance	7 827	9.6%
Transportation, communication	5 791	7.1%
Services	24 455	29.9%
Other	886	1.1% (including Palestinian workers and foreign workers)

190. The following information relates to injury compensation in 1996 according to sex and age:

	Total	-17	18-24	25-34	35-44	45-54	55-60	61-64	65+
Total	92 274	793	13 550	24 428	22 892	18 605	7 187	2 833	1 986
%	100	0.86	14.68	26.47	24.81	20.16	7.79	3.07	2.15
Males	73 599	718	11 284	20 655	18 332	13 646	5 105	2 268	1 591
%	100	0.98	15.33	28.06	24.91	18.54	6.94	3.08	2.16
Females	18 675	75	2 266	3 773	4 560	4 959	2 082	565	395
%	100	0.4	12.13	20.2	24.42	26.55	11.15	3.03	2.12

More detailed data are not available and will hopefully be provided in the next report under the Covenant.

Equal opportunity for promotion

191. The Equal Employment Opportunities Law, 1988 prohibits discrimination in the area of promotion. This law was discussed above in the context of the right to work. There are only a few additions that need to be made here.

192. The first landmark decision in Israel on the issue of discrimination at work, given by the National Labor Court in 1974, dealt directly with the issue of promotion. In the absence of an immediate statutory source, the Court based its reasoning on the illegality of a collective contract contradicting public policy, discrimination being seen as such a contradiction.

193. Promotion rights are primarily found in collective agreements. Consequently, equality of opportunity in promotion remains a question of non-discrimination in collective agreements. Factual data are hard to gather on such matters.

194. Finally, equal opportunity in promotion should be indirectly enhanced by the development of "job analysis", which is developing for the sake of claims under the Female and Male Workers Equal Pay Law, 1996. This should be so because opportunities for promotion are obviously dependent on the jobs available, which are in turn dependent on the job descriptions considered relevant by the employer. Using job analysis should widen the range of factors to be considered in granting promotion and make it more difficult for employers to discriminate in promoting workers.

Rest and leisure

195. Rest and leisure-related rights are secured in Israel on two levels: several protective laws define binding minimum standards; additional rights stem from collective agreements and sometimes from extension orders.

196. The Hours of Work and Rest Law 1951 defines the length of the working day, the working week, weekly rest and work breaks (see full text in annex A to this report). It sets the procedure for employing workers beyond the quota of hours provided for in the law or during the weekly rest, including the compensation to be paid for such overtime work. Breach of this law is grounds for a civil suit by the employee, and in some instances constitutes a criminal offence of the employer. In addition, the law provides the Ministry of Labor and Social Affairs with various powers, mainly for supervision, inspection and the issuance of exceptional work permits.

197. The Annual Leave Law 1951 defines the right to annual leave and its duration, as well as remuneration during such leave (see full text in annex A to this report). It also covers such issues as the amount of leave that may be accumulated and the limitation period for bringing actions to court under the law. The law also includes criminal and regulatory provisions similar to those of the Work and Rest Hours Law 1951.

198. Collective agreements commonly grant more generous rights than those laid down by the above two laws and extension orders are commonly issued. As a result, for about 80 per cent of workers these statutes are of little importance.

199. A shift took place in Israel between 1995 and 1997 from a six to a five-day working week. This shift is one of the best examples of the importance of collective bargaining. A general collective agreement was first reached in 1995 at the national level by the most representative organizations of employees and of employers. This agreement was a year later extended to the vast majority of workers in Israel. Accordingly, the maximum "working week" for most workers went down, firstly to 45 hours a week and, as from 1 July 1997, to 43 hours. The legislator then amended the law in 1997 so that the maximum "working week" was set to 45 hours a week (instead of 47 hours).

200. Neither of the above laws applies to all employees. Each law specifies certain types of workers excluded from coverage (section 30 (a) of the Hours of Work and Rest Law 1951 and section 35 (a) of the Annual Leave Law 1951). But none of the categories is based on discrimination. The exclusions stem from the characteristics of specific sorts of employment, not from personal characteristics of the employee.

201. A distinction between Jews and non-Jews is made in the Hours of Work and Rest Law 1951, which requires explanation. For Jews, weekly rest must include Saturday - the Jewish religious rest day (Sabbath), whereas for non-Jews it must include either Friday, Saturday or Sunday, according to the worker's custom (sect. 7). The Israeli courts have explained this difference by noting the two objects of the law: one, social - to protect workers' health by providing for rest - the other being to conserve the Jewish people's heritage and to respect the religious feelings of broad parts of the population. One should bear in mind that a large number of non-religious Jews still define themselves as "traditionalist" and cherish the fact that Sabbath is a common special day.

202. In addition to the above laws, below are the laws enumerating the public holidays employees are entitled to without pay deduction:

(a) Religious holidays of members of the Jewish, Muslim, Christian and Druze communities in Israel;

(b) Independence Day;

(c) Election Day.

203. The employers' obligation to pay workers for public holidays is stipulated in the collective bargaining agreements for each economic sector.

Article 8 - Collective labour rights

Related international conventions binding Israel

204. Israel has been a party to the International Covenant on Civil and Political Rights since 1991. Israel's initial report is to be submitted this year.

205. Israel has been a party to the ILO Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87), since 1957; the last report relates to the years 1992-1993.

206. Israel has been a party to the ILO Right to Organize and Collective Bargaining Convention, 1949 (No. 98), since 1957; the last report relates to the years 1993-1994.

207. As already mentioned, the ILO standards have had and still retain tremendous influence on the shape of Israeli labour law. This is even more so as far as collective labour law is concerned. In the first place, a central statute in this field, the Collective Agreements Law 1957, was deliberately drafted so as to comply with the ILO Convention No. 98. Secondly, important issues in this field are not covered by legislation but by judicial precedents, which have always been primarily influenced by ILO conventions and standards.

Formation of trade unions and membership

208. While trade unions in Israel have statutory status and powers (described below), there is no law regulating their formation and the conditions for joining them. Nevertheless, the right to organize in trade unions is recognized by Israeli courts as a fundamental principle, whether as part of the civil right to organize or as a specific worker's right. As the High Court of Justice stated in a recent landmark case:

> "The right of association is 'one of the human liberties' [cite omitted], and it is deeply entrenched and well protected in the jurisprudence [cite omitted]. This is so in general, and also in

> respect of the right to organize in a trade union [cite omitted] ... Indeed, in Israel too, workers of all kinds are entitled to establish an organization of their choice, without any prior authorization requirement.
>
> "The right to freedom of association, and its various components, is not written in a code of legislative acts. This right was recognized in two international labour conventions ... Those treaties were not incorporated into Israeli law. Nevertheless, the trend to reconcile domestic law and the State's international obligations as undertaken in treaties, has led to the recognition that 'according to the international labour law which is binding in Israel, the right of workers to organize is ensured' [cite omitted]. In light of the essence of this right, it can be said that 'the freedom of Israeli workers to form trade associations is one of the fundamental bases of our democratic society ... and the Court has been and will continue to be diligent in securing its existence and giving optimal meaning and validity to its protection' [cite omitted]. It should be noted, that not long ago it was proposed that the right to organize in trade unions be incorporated in the draft Basic Law: Social Rights Bill, and thereby accord it a constitutional status ... Although this proposed legislation was not adopted, the status of freedom of association as a fundamental principle of the system was not impaired."
> H.C. 7029/95 The New General Workers' Histadrut v. The National Labour Court, Amit et al., Takdin-Supreme vol. 97 (1), 38, pp. 51 and 89-90.

209. The right thus includes the right to form a union, the freedom of operation of a union, and the right to freely join a union, including the right not to join one.

The right to form a trade union

210. As a general rule, any group of workers can form a labour union, but for this union to have legal power it must meet the recognized characteristics of a workers' organization and it must be representative.

211. The Labour Courts have developed a significant set of tests for the identification of an organization as a trade union:

Stability: the organization needs to be created with no time limit or for a long period, not for a particular bargaining session;

By-laws: the organization has to have by-laws regulating its aims, its institutions and their power, conditions for membership, and the like;

Personal and voluntary membership: a trade union must be based on the personal and free consent of workers to accept membership. This applies to becoming a member as well as to forfeiting membership;

Workers' representation: the vast majority of members have to be employees;

Aims: the organization's aims have to be first and foremost collective bargaining with the employer for the purpose of fixing working conditions and workers' rights within collective agreements;

Independence: a trade union has to be independent from the employer and free to operate without external intervention;

Internal democracy: a trade union has to respect minimal democratic principles such as periodic, free and equal elections of representatives, with the participation of all member workers, public accountability of representatives, freedom of speech of workers and principles of non-discrimination.

Incorporation: there is no requirement to be formally incorporated.

212. Representation requirements are defined in the Collective Agreements Law 1957 according to the type of agreement (see full text in annex A to this report). Section 2 of this law distinguishes between a "special collective agreement", which relates to a particular undertaking or employer, and a "general collective agreement", which relates to branches of employment in the whole country or in a particular area. For both types, the basis of representation is the "greatest number of organized employees to whom the agreement is to apply"; for a "general" agreement, representation is a function of membership only; for a "special" agreement, it is either membership or other form of representation (i.e. by a special decision by workers), but the organization must represent not less than one third of the total number of employees to whom the agreement is to apply (see sections 3 and 4 of the Law).

Number and structure of trade unions in Israel

(i) The Histadrut

213. There exist in Israel a relatively large number of trade unions. The most prominent is the General Federation of Labor - Histadrut. It was created in 1920, long before the creation of the State. Its name was then the General Federation of Jewish Workers in Israel and it was changed in 1966, reflecting the fact that the Histadrut had become representative of all workers, including non-Jews. In 1996 it was renamed again The New Histadrut, reflecting a change in leadership. According to its by-laws, any worker aged 18 or over who is not a member of another labour organization may become a member. In fact, Histadrut membership extends across a broad spectrum: production workers and clerks, blue and white collar workers, urban and rural workers, academicians and unskilled labourers, retired persons and students, Jews and non-Jews, men and women, and so on.

214. The Histadrut's highest legislative institution is its National Conference, whose candidates are elected in proportional and secret elections on the basis of political party lists. The main Israeli parties are

represented. The Labour Party retained its majority until 1994, when it had to enter a coalition with a new list that had taken over. The Secretary-General has always been a Labour Knesset member, except for a period of about two years between 1994 and 1996.

215. Histadrut's activities traditionally aim to be of a holistic nature, including trade union, social security and mutual aid, labour economy, culture and education. However, trade union activities are today undoubtedly the most important. These are conducted according to the Histadrut by-laws on three levels: the workers' committee in every plant which represents all workers in the plant; a local or regional worker's council representing the Histadrut at the local level; and the national union, which is organized by profession, occupation or industry. There are 37 national unions operating under the Histadrut umbrella. Each national union is empowered to sign collective agreements on behalf of the Histadrut.

216. The vast majority of Israeli employees belong to the Histadrut. Up until 1995 membership in the Histadrut was linked with membership in the General Health Fund, the main provider of health services in the country, which is affiliated to the Histadrut. As a result there were many members who were not workers and a portion of the General Health Fund was transferred to the Histadrut. This link was severed in 1995 when a new National Health Insurance Law remodelled the system of funding of health providers in Israel, resulting in a certain cut in the Histadrut membership. There is no doubt, however, that the Histadrut still remains the largest and most representative workers' organization in Israel. Exact membership numbers are no longer disclosed by the Histadrut.

217. The prominence of the Histadrut gives it a special status. General collective agreements between the Histadrut and the Coordinating Council of the Economic Organizations (relating to the private sector) or between the Histadrut and the Government (relating to the public sector) are the most influential instruments shaping labour relations and working conditions in Israel today, especially when extended by extension order. Examples of the sort can even be found in various parts of this report, as with regard to "wage fixing" and the "cost-of-living increment", or the shortening of the "working week". A dramatic illustration of the importance of this instrument was in 1985, when the inflation rate had got out of control, reaching around 400 per cent annually, and an emergency economic plan was badly needed. An economic package was eventually finalized at the highest level on a tripartite basis - between the Finance Minister, the Secretary-General of the Histadrut and the Chairman of the Coordinating Council of the Economic Organizations. This deal is considered to have greatly contributed to saving the Israeli economy.

(ii) Labour organizations other than the Histadrut

218. Some of the free professions are organized within the Histadrut, but a few others are organized in independent trade unions: the Medical Federation, the Journalists' Union, the High School Teachers' Union and the University Teachers' Union. Some unions, although organized within the Histadrut, enjoy a high degree of autonomy, such as the Union of Engineers and Architects.

219. Other unions in Israel are of a general character, like the Histadrut, but with far fewer members and less political and social influence. The differences between them and the Histadrut are ideological. The largest such organization is the National Workers' Federation, which offers a more nationalist platform than the somewhat socialist one of the Histadrut. It does not publish numerical information on its membership and usually has not been successful in becoming the representative organization in places of employment. There also exist a few small labour organizations of religious orientation. These organizations have never really competed with the Histadrut, but have come to agreements with it, granting them representation in delimited places of employment.

220. Although one can doubt the significance of the role played by non-Histadrut labour organizations in shaping Israeli labour relations, their continued existence does attest to the reality of freedom of formation and operation of trade unions. Furthermore, national unions within the Histadrut have sometimes threatened to step out and gain independence, affirming their legal right to do so. This aspect of trade unions' rights has had its influence on the Histadrut itself.

Individual freedom to join a trade union

221. No employee in Israel can be forced to join a labour organization. This clearly derives from the norm mentioned above, according to which "voluntary membership" is an inherent characteristic of a labour union. This was stated by the Labour Court on various occasions such as the following:

> "Whereas 'freedom of association' is directed, essentially, towards the relevant public, the 'right to associate' is directed at the individual. The 'right to associate' ensures that the individual is always able to join an organization of his choice."
> 1975/5-1 Markovitz Leon et al. v. Histadrut, PDA 6, 197.

222. As to the meaning of "voluntary membership" the court has made it clear -

> "Voluntarism in our context means that membership in the association is the result of the will of the person in question; if he so chooses - he may join the association; if he so chooses - he may leave it. The answer to the question whether membership in an association is voluntary may be found in its code."
> 1982/5-2 Histadrut v. The Paz Senior Workers' Association, PDA 14, 367, 385.

223. Collective agreements in Israel also reflect this principle. These commonly set arrangements of the "agency shop" type: the employer recognizes the labour organization with which the agreement is made as his or her counterpart for collective bargaining, and agrees that collective agreements with this organization should apply to all workers employed by him or her. But in contrast to "closed shop" arrangements, according to which the employer undertakes not to hire employees who do not join the labour organization with

which the agreement was made, "agency shop" arrangements leave the individual workers the choice whether to join the union or not. However, this arrangement requires employees who choose not to be members of a union to pay a "trade union service fee".

224. The said service fee, which is lower than the membership fee and does not confer membership rights or duties, is considered a fair contribution in return for services. One should remember that collective agreements can only add to the workers' rights and may apply also to workers who are not members of the union but who are employed at the workplace covered by the agreement. The trade union service fee gained statutory recognition in 1964, when the Wages Protection Law 1958 was amended to include "trade union service fees" among the permissible deductions from a worker's wages.

225. The legitimacy of "closed shop" arrangements was dealt with in brief by the Labour Court in a relatively recent case.

Freedom of operation of trade unions

226. Labour unions in Israel are free to formulate their constitutions without any interference on the part of the State. This basic principle is clearly recognized by the Labour Court:

> "One of the elements of 'freedom of association' is the right of the organization to make its own constitution, in accordance with the laws of the State, as long as such laws are not contradictory to the principle of freedom of association."
> 1975/5-1 Markovitz Leon et al. v. Histadrut, PDA 6, 197.

227. Freedom to organize goes with its accompanying rights; these together make up the civil liberties necessary to the continuous and routine operation of trade union activities, such as personal freedom, protection from arbitrary arrest or imprisonment, freedom of expression and so on. Labour organizations have always enjoyed such liberties in Israel, and their application to labour relations is taken for granted.

228. A union's freedom also means autonomy in collective bargaining. This would have no meaning without collective agreements being granted recognition. The Collective Agreements Law 1957 not only recognizes collective agreements and grants them the power to determine workers' rights, it also keeps to a minimum the possibility for State interference. Thus, to be recognized a collective agreement need only be filed for registration, the registrar having no discretion on the matter. Furthermore, a claim with regard to representation can only be initiated by another employees' organization (art. 6 of the Collective Agreement Law 1957).

229. Nevertheless, since collective agreements have the effect of law for the workers to whom they apply, commonly recognized restrictive principles apply. Although the content of a collective agreement is left to the parties to define, it is not allowed to contravene the law or fundamental public interests. In this spirit, the Labour Court decided that principles of

regular contracts law in Israel - such as the duty of "good faith" in negotiations or the various grounds for nullity of contracts - apply to collective bargaining and agreements. The doctrine of "fair representation" is applied as well.

The right to strike

The status of the right to strike

230. The right to strike as such is not regulated by an explicit legal provision, however, it is uncontested that such a right exists under Israeli law. On countless occasions the Labour Courts and ordinary courts of Israel have recognized explicitly or implicitly the right of workers to strike as a basic liberty. In a landmark case, the Supreme Court of Israel analysed the status of the right to strike:

> "The statutory law in Israel does not include a specific provision granting workers the right to strike, but the issue of striking is mentioned in many legislative acts ... [list of provisions omitted]. Despite the lack of a positive legislative provision concerning the 'right' to strike, its existence has been recognized by the Labour Courts and the ordinary courts. In Case 31/4-4 [Labour Court cite omitted], it was stated that 'the view that participation in a strike suspends the labour contract, and does not constitute a breach of contract is derived from the right to strike, and although in Israel this right is not explicitly provided for in a legislative act, it arises from the ILO Right to Organize and Collective Bargaining Convention, ratified by Israel, and is supported by the various provisions in labour laws' [additional citations omitted]. In C.A. 573/68, P.D. vol. 23 (1), 516, the Supreme Court (opinion of Judge Berenson) recognized the legality of a strike which 'conformed with and was legal under tort laws'. In C.A. 25/71, P.D. vol. 25 (1) 129, 131, Judge H. Cohen wrote the following: 'It can be said that nothing could be further from the Israeli legislator's mind than the intent to abolish the institution of strikes: if one of the English judges referred in a recent judgement to the right to strike as a "sacred cow", we should consider it at least a sacred tradition which can no longer be doubted.' In C.S.A. 1, 2/86, P.D. vol. 40 (2) 406, 415, [Supreme Court] President Shamgar held that Article 19 of the Collective Agreements Law, 1957 is designed to protect the right to strike. Consequently, it can be said that the 'right' to strike has gained a strong position in Israeli legislation and case law."
> C.A. 593/81 Ashdod Car Factories Ltd. v. Chizik, P.D. vol. 41 (3) 169, 191.

231. In parallel, the courts have recognized as a corollary of the right to strike the employer's right to order a lock-out. However, such action on the part of the employer can only be taken as a defensive measure (i.e., as a reaction to a strike) and must be proportional in its effect to the measures taken by the employees.

232. The already mentioned Basic Law: Social Rights Bill addresses the right to strike (in art. 5). Its adoption would build upon the existing recognition

of the right to strike and afford it additional constitutional protection, thus securing not only the status of this right but also its scope. Such protection is needed to counter the possible restrictive effects of the existing Basic Laws which gave constitutional status to the rights to property and to freedom of contract.

The content of the right to strike

233. The term "strike" has been defined by judicial precedents. A strike is basically a collective measure applied in the context of a labour dispute between recognized parties. Even though protection is given to the individual employee, the exercise of this right is not left in his hands but to the recognized party to a labour dispute - his or her labour organization. Or, in the wording of the Settlement of Labour Disputes Law 1957 (art. 3):

> "In a labour dispute between the employer and his employees or some of his employees, the parties to the dispute are the employer and the labour organization representing most of the employees affected by the dispute, and in the absence of such a labour organization, the representatives elected by most of these employees, whether for general matters or for the specific labour dispute."

234. The right to strike is implemented in Israel by granting special protection to workers and their organizations when going on strike:

(a) First and foremost, participation in a strike shall not be considered a breach of individual labour contract, including individual obligations under a collective agreement (art. 19 of the Collective Agreements Law 1957). The strike only suspends the labour contract, but does not provide legal justification for its termination;

(b) Second, a strike does not constitute a breach of contract for the purposes of presenting a tort claim for "causing a breach of contract" (art. 62 (b) of the Torts Ordinance (Revised Version));

(c) A strike does not interrupt continuity in employment for the purposes of calculating benefits under the various protective labour laws, such as pension (art. 3 (2) of the Public Service (Pensions) Law (Consolidated Version) 1970), severance compensation (art. 2 (6) of the Severance Pay Law 1963), annual leave (art. 4 (4) Annual Leave Law 1951), rights of veterans (art. 4 (b) of the Discharged Soldiers Reinstatement Law 1949) and soldiers in reserve service (art. 7 (c)(3) of the Reserve Service (Benefits) Law 1952);

(d) A strike regarded as legitimate by the courts will not give grounds for an injunction against the strikers' union, and no relief will be granted in favour of a party to a strike who acts unlawfully or in bad faith. The courts are guided in this regard by general principles as well as by the Settlement of Labour Disputes Law 1957. This law places limitations on strikes (described below), hence supporting the view that strikes that meet those conditions are legitimate.

(e) Lastly, the Employment Service may not interfere with strikes, and is prohibited from referring potential employees to replace workers on strike (art. 44 of the Employment Service Law 1959).

Restrictions placed on the right to strike

235. The right to strike in Israel is not unlimited, and certain restrictions have been recognized by the courts based on various sources - legislation, labour organizations' by-laws, collective agreements - and with the guidance of ILO standards. It should be noted that similar restrictions, created by all three alternative sources of law, apply with regard to lock-outs.

(i) Restrictions in legislation

236. Article 5 A of the Settlement of Labour Disputes Law 1957 imposes a technical prerequisite on the right to strike:

> "Notwithstanding Article 5, a party to a dispute must give notice [of dispute] to the other party and to the chief official, on every strike or lock out, whichever is relevant, at least fifteen days before their initiation."

This provision has been explained by the Supreme Court as introducing a compulsory "cooling off" period designed to enable the parties to the dispute to resolve their differences through negotiations.

237. The Labour Courts have placed a broad construction on this provision and required prior notice in a range of partial work sanctions such as slow-downs, refusal to work overtime and partial strikes. In the public sector, failure to serve notice would automatically lead to the classification of the strike as unprotected.

238. Article 37 A and B of the Labour Dispute Settlement Law 1957 provides that a strike in the public sector which takes place within the duration of a collective agreement (with the exception of a strike unrelated to wages or social conditions, approved by a qualified labour union), or in the absence of such agreement and not authorized by the qualified labour union organs, will be classified as an unprotected strike.

239. The classification of a strike as unprotected does not necessarily imply that it is also unlawful, but such determination will result in the loss of some of the privileges accorded to participants in a lawful and protected strike.

240. Article 37 A of the Labour Dispute Settlement Law 1957 permits political strikes (i.e. strikes unrelated to wages or social conditions) in the public sector, even during the life of the collective agreement, on condition that they are approved by the qualified union organ. No similar provision can be found with regard to the private sector. Thus, no strike will be recognized as lawful in that sector during the life of a collective agreement.

(ii) Restrictions in union by-laws

241. The labour unions have voluntarily provided, in their constitutive instruments and other by-laws, for certain procedures to be complied with in every case a strike is to be called. For instance, the constitution of the Histadrut lays down a system of consultations and voting procedures involving the national union representatives, the local workers' committees and the Histadrut Workers' Council. Failure to comply with these procedures would lead to the classification of the strike as an unlawful (or a "wildcat") strike.

(iii) Restrictions in collective agreements

242. In many collective agreements a provision prohibiting strikes for their duration can be found. Furthermore, the Labour Courts have held that an implicit presumption of non-strike obligation can be found in any collective agreement. In addition, any difference pertaining to the implementation of the agreement should be resolved through the mechanisms provided for in the agreement, or, in their absence, through the Labour Courts. Thus, unless there is some indication to the contrary in the agreement itself, strikes conducted during the life of a collective agreement are unlawful. This line of decisions of the Labour Courts has been significantly narrowed by the Supreme Court, which has held that the obligation not to strike is valid only if the other party keeps his or her obligations under the agreement.

(iv) Additional restrictions in case law

243. The main restriction imposed by the Courts on the right to strike stems from a Supreme Court decision that the immunity granted under article 62 of the Torts Ordinance (Revised Version), dealing with the tort of "causing a breach of contract", does not extend to encompass other torts. Consequently, strikers can be held liable under several wrongs, such as negligence, trespassing, misappropriation of personal property and nuisance. This decision implies that the right to strike can only be applied subject to the non-commission of a tort vis-à-vis third parties.

244. Another limitation involves the purpose of the strike. A strike cannot be considered lawful if it has nothing to do with labour relations. Hence, a political protest can only lead to a short protest strike. The exact definition of "political strike" in this sense is rather dynamic and hard to grasp.

245. Additional restrictions apply to unprotected strikes in the Public Sector:

(a) The Employment Service may send replacement workers to substitute the strikers;

(b) A strike can be deemed a breach of the collective employment agreement;

(c) Immunity under article 62 of the Tort Ordinance (Revised Version) is lost (but only vis-à-vis the direct parties to the labour dispute).

Statistics on strikes in Israel

246. The following figures amply demonstrate the frequent use made of the right to strike by employees in Israel and of employers' lock-outs.

Year	No. of slow-downs	No. of strikes and lock-outs (excluding slow-downs)	No. of persons involved in strikes and lock-outs	Work days lost
1960		135	14 420	49 368
1965		288	90 210	207 561
1970		163	114 941	390 260
1971		169	88 265	178 621
1972		168	87 309	236 058
1973	54	96	122 348	375 023
1974	49	71	27 141	51 333
1975	62	117	114 091	164 509
1976	76	123	114 970	308 214
1977	57	126	194 297	416 256
1978	55	85	224 354	1 071 961
1979	97	117	250 420	539 162
1980	54	84	91 451	216 516
1981	59	90	315 346	782 305
1982	79	112	838 700	1 814 945
1983	47	93	188 305	977 698
1984	74	149	528 638	995 494
1985	64	131	473 956	540 232
1986	92	142	215 227	406 292
1987	89	174	814 501	995 546
1988	93	156	327 193	516 071
1989	58	120	209 841	234 073
1990	75	117	571 172	1 071 279
1991	52	77	38 776	97 923
1992	64	114	211 833	386 658
1993	40	73	462 208	1 636 866
1994	38	75	106 047	792 533

The armed forces, the police and the administration of the State

247. Any group of workers can form a trade union, with a few exceptions. Members of the police force are prohibited by law from creating an organization of their own, but they are allowed to join regular trade unions. Judges traditionally do not consider themselves ethically free to organize, even though there is no statutory provision on the matter. In any case, the courts have ruled that the status of judges is a special one, and that they are not "employees". Civil servants, on the other hand, are under no limitation whatsoever to organize and they have done so.

248. Furthermore, the courts have held that in circumstances where the exercise of the right to strike would cause detriment to another vital interest in an irreconcilable way, the right to strike may be restricted. Thus, soldiers and policemen cannot strike.

249. Regarding civil servants, the right to strike may be restricted for "indispensable" workers in specific key positions, who perform crucial tasks for the safeguard of vital public interests (i.e. certain medical functions, vital social services, supply of vital public commodities, and so on). Use of governmental emergency powers is then made to order individual workers to stay at work. Breach of such orders can be sanctioned by penal law.

250. It should be stressed, however, that the use of emergency orders is dependent upon specific approval by the Cabinet. Furthermore, according to the Attorney-General's Directives, consultation with the Attorney-General's office is also required, and each individual order to be issued is then checked.

Article 9 - The right to social security

Related international conventions binding Israel

251. Israel is a party to the ILO Social Security (Minimum Standards) Convention, 1952 (No. 102) and regularly submits reports to the advisory committee on the measures taken to give effect to the provisions of the Convention. Its last report relates to the years 1992-1995.

252. Israel is also a party to the ILO Maintenance of Migrants' Pension Rights Convention (No. 48) since 1963; the last report covers the years 1979-1982.

253. In addition, since 1965 Israel is a party to the ILO Equality of Treatment (Social Security) Convention (No. 118); Israel's last report covers the years 1991-1993.

Social security branches in Israel

254. Most social security schemes in Israel are public and regulated by the National Security Law (Revised) 1995. The full text of this comprehensive law is attached in annex 2 to this report. The Law combines two kinds of

arrangements: insurance-based rights, proportionate to the premiums paid; and arrangements aimed at assisting people in need. The Supreme Court declared the social purpose of this central piece of legislation as follows:

> "The purpose is to guarantee sufficient living resources to the insured, their dependants and their survivors, every time their income decreases or disappears due to one of the reasons enumerated in the law, such as injury on the job, unemployment, birth, death, etc."
> C.A. 255/77 The National Insurance Institute v. Almohar, P.D. vol. 29 (1) 11, 13-14.

255. The following branches of social security exist in Israel and are administered by the National Insurance Institute (hereinafter "NII"): maternity benefits; old-age benefits; disability (invalidity) benefits; survivors' benefits; work (employment) injury benefits; unemployment benefits; child allowances (family benefits). In addition, the NII is responsible for administering the following benefits and compensations: long-term care, mobility, income maintenance support, accident injury, rights of volunteers, hostile action casualties, violence in family, "Prisoners of Zion", "Righteous Gentiles", reserve duty service, insurance of employees of bankrupt and liquidated firms, guarantee of alimony payments and others.

256. The NII is also responsible both for collection and distribution of insurance premiums in relation to health services, according to the National Health Insurance Law which came into effect in January 1995. (Full account on this topic is provided under article 12 of this report.)

Maternity benefits

(i) Coverage

257. The following benefits are granted:

(a) Hospitalization grant, maternity grant and birth allowance to:

- (i) Insured woman or wife of insured individual, even if she gave birth outside Israel;
- (ii) Employee or self-employed woman working in Israel or the wife of an employee or self-employed individual working in Israel for at least six months immediately preceding the birth, even if not residents of Israel, provided she gave birth in Israel;

Paragraph (ii) above does not apply to an individual who lives in the territories or within the Palestinian Autonomy and is not an Israeli resident as defined by law;

(b) Maternity allowance and vacation pay to:

(i) An employee or self-employed woman, aged 18 or over, working in Israel;

(ii) A woman aged 18 or over in vocational training; a woman employee working abroad under certain conditions;

(c) Risk Pregnancy Benefit to a resident of Israel who is an employee or self-employed woman.

(ii) Nature and level of benefits

258. The maternity grant, given to the mother in the hospital to purchase a layette for the newborn child, is paid at the following rates: 20 per cent of the average wage* for one child, 100 per cent of the average wage for twins, and an additional 50 per cent of the average wage for every additional child born in the same birth. The grant for a multiple birth is determined according to the number of children who remain alive at least seven days; if they leave the hospital before the end of the seven-day period immediately following the birth, the grant is determined according to the number of children who leave the hospital.

259. An adopting parent receives a grant equivalent to the maternity grant, according to the number of children under 10 years old who were adopted on the same day.

260. Maternity allowance is paid at a rate of 100 per cent of the average daily income of the entitled woman in the three months preceding the determining date, from which income tax and (national and health) insurance contributions are deducted.

261. Other benefits under maternity insurance include the birth allowance, paid for six months to a mother who gives birth to three or more children at one birth; the risk pregnancy benefit, paid to a woman who ceases work due to need for precautionary rest as a result of a risk pregnancy; and the special allowance and benefit, paid to the widower of a woman who died while giving birth or within a year of giving birth.

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* The reference is to the average wage according to the National Insurance Law, for purposes of benefits and insurance contributions. It is calculated according to a method determined in the Law, on 1 January of every year, and it is updated each time a cost-of-living compensation is paid to employees.

(iii) Method of financing

262. Financing of this branch is based on insurance premiums, or contributions (compulsory payments as percentage of wages or income), as follows:

	Full rate	Reduced rate*
Employee	0.60%	0.33%
Employer	0.15%	0.15%
Self-employed	0.75%	0.48%
Other insured	0.25%	0.11%
Government		
- for employee	0.10%	0.03%
- for self-employed	0.10%	-

* Employees, self-employed and insured workers who are non-workers and non-self-employed pay reduced rates of insurance contributions on the part of income which is up to half the average wage according to the National Insurance Law, beginning in January.

Old-age benefits

(i) Coverage

263. An Israeli resident, aged 18 or over, unless immigrated for the first time at age 60 or over, is insured for old-age benefits. A new immigrant who is not insured due to his age at the time of his immigration and who has reached pension age is eligible for a special old-age benefit. This benefit is not covered under the National Insurance Law but rather under a special agreement, and is paid at the same rate as the regular old-age pension.

264. A recent enactment which is to be gradually implemented enables a housewife whose husband is insured or a widow receiving a pension to be covered if she does not work outside the home, was born after 31 December 1930, is between the ages of 60 and 65, and is a resident of Israel. A married woman who does not work outside her home and who receives a general disability pension, as well as other individuals not covered in compulsory insurance, may insure themselves through voluntary insurance.

(ii) Coverage and nature of benefits

265. The basic old-age pension is intended to guarantee a minimum level of basic subsistence. Men aged 70 and over and women aged 65 and over are paid at a uniform rate of the average national wage, in accordance with percentages prescribed by law and according to the number of the insurees' dependants. For men aged 65-70 and women aged 60-65, payment of pension is conditional on a means test.

266. The pension rates, as percentage of the average wage, are as follows: single person - 16 per cent; couple - 24 per cent; couple with one child - 29 per cent; couple with two or more children - 34 per cent; single person with one child - 21 per cent; single person with two or more children - 26 per cent. Pension payments are adjusted whenever the average wage is adjusted.

267. The dependants' increment is paid for husband or wife, and for each of the first two children of the person receiving pension on condition that they do not receive a pension themselves. Increment rates are included in the pension rates given above. A housewife is not entitled to a dependant's increment, but to the basic pension only.

268. Other increments include seniority increment (2 per cent of the pension for each year in excess of 10 years' insurance, up to a ceiling of 50 per cent of the pension), deferred retirement income (5 per cent of the pension for each year that the person - aged 65-70 for men, 60-65 for women - was not eligible for a pension because he/she has an earned income, up to a ceiling of 50 per cent of the pension) and income supplement.

(iii) Method of financing

269. The old-age and survivors' pensions are financed by insurance contributions and by government participation, as follows:

(a) Insurance contributions

	Full rate	Reduced rate
Employee	2.70%	1.46%
Employer	1.85%	1.85%
Self-employed	4.55%	2.63%
Other insured	5.42%	2.63%
Housewife	exempt	
Government		
- for employee	0.87%	0.19%
- for self-employed	0.87%	0.07%

(b) Government participation

The Government provides allocations at the rate of 15 per cent of total insurance contribution receipts, full financing of pensions to new immigrants, and financing of income supplement to pension recipients.

Disability benefits

(i) Eligibility

270. An Israeli resident aged 18 or over and not yet 65 (man) or 60 (woman) is eligible.

(ii) Coverage

271. The monthly disability pension is paid at the rate of 25 per cent of the average wage for a single person whose degree of disability is at least 75 per cent. This pension is increased by 7 per cent. For those with a lower disability degree, the pension is calculated at a rate proportionate to the disability degree. The pension is adjusted whenever the average wage is adjusted.

272. The dependant's increment, as a percentage of the average wage, is as follows: for dependent spouse - 12.5 per cent, based on a means test; for each of the first two children - 10 per cent, with an increase of 7 per cent for each additional child. The dependant's increment is also subject to a means test of the disabled person. A housewife is entitled to dependant's increment for her children only.

273. Other benefits under General Disability Insurance include:

(a) Attendant's allowance: a pension equivalent to 50 per cent, 100 per cent or 150 per cent of the full individual pension is paid to the severely disabled who are dependent on the help of others for the performance of everyday tasks or who are in need of supervision;

(b) Survivor's grant: a one-time grant equivalent to the amount of the average wage paid to the spouse, or in the absence thereof, to the child or children of a deceased person who received a disability pension;

(c) Disabled child benefit: a pension equivalent to 30-120 per cent of the full individual pension, paid to assist parents with the heavy burden of caring for a disabled child at home;

(d) Special benefit for new immigrant: similar to the attendance allowance, paid to severely disabled new immigrants.

(iii) Method of financing

274. Disability benefits are financed from insurance contributions, as follows:

	Full rate	Reduced rate
Employee	1.30%	0.71%
Employer	0.38%	0.38%
Self-employed	1.68%	0.95%
Other insured	1.95%	0.87%
Housewife	exempt	
Government		
- for employee	0.27%	0.09%
- for self-employed	0.27%	0.02%

Further, the State finances the special benefit for new immigrants.

Survivors' benefits

(i) Eligibility

275. Same as for old-age benefits above, with the following exception: a married woman whose husband is insured or a widow who receives a pension, if she does not work outside her home is not covered by compulsory insurance; there is, however, an arrangement for voluntary insurance.

(ii) Coverage

276. The survivors' pension is paid to the survivors of a deceased insured individual at levels similar to those of the old-age pension. Pension rates (as a percentage of the average wage) are as follows:

For widow/widower with a child, or aged 50 or above	16%
For each child of the above	7.5% increment
For widow/widower aged 40-49 without child	12%
For children for whom the widow/widower is not eligible for an increment	10% for a single child 7.5% for each child if there is more than one child
For children who have no parents or whose surviving parent permanently lives abroad	10% for each child

277. If both parents die, a child is entitled to receive two survivors' pensions by force of these two separate entitlements.

278. Pensions are adjusted whenever the average wage is adjusted. Increments to the pension include seniority increment and income supplement.

(iii) Method of financing

279. See old-age benefits above.

Employment injury benefits

(i) Eligibility

280. Covered for employment injury benefits are the following groups: employees (except for policemen, jailers and defence employees), self-employed persons, vocational trainees, persons undergoing vocational rehabilitation, working prisoners, foreign residents (including residents of the Territories and the Autonomy, working in Israel), Israelis working abroad for an Israeli employer - under certain conditions; persons whose wages are determined by law (such as Knesset members).

(ii) Coverage

281. The main benefits are the injury allowance and the work disability benefit (pension and grant).

282. The injury allowance is paid for the period of incapacity to work as a result of the work injury (work accident or occupational disease), for a maximum period of 182 days beginning from the day after the injury, calculated by day, on the basis of 75 per cent of the injured person's wages liable for insurance contributions in the quarter-year prior to the injury. The daily injury allowance has a maximum limit. Injury allowance is not paid for the first two days after the injury, unless the injured person was not capable of working for at least 12 days.

283. If the person becomes disabled as a result of the work injury and has a permanent disability degree of 20 per cent or over, he receives a monthly work disability pension according to the degree of medical disability, paid at a rate proportionate to the wages and degree of disability. The pension is updated according to the cost-of-living increment and according to the changes that took place in the average wage as it was on the previous 1 January. A person receiving a disability pension who belongs to a low-income group is entitled to an income supplement. Work disabled with a disability degree of 5-19 per cent receive a one-time work disability grant equivalent to "the daily injury allowance x 21 x the disability degree".

284. Other benefits under work injury insurance include a special grant to the disabled with difficulty in walking and benefits to dependants (widows/widowers).

(iii) Method of financing

285. Work injury benefits are financed by insurance contributions, as follows:

	Full rate	Reduced rate
Employee	no payment	
Employer	0.53%	0.53%
Self-employed	0.53%	0.33%
Other insured	no payment	
Government		
- for employee	0.17%	0.01%
- for self-employed	0.17%	0.02%

286. The Government participates in providing an income supplement to the disabled and their dependants under the Income Support Law.

Unemployment benefits

(i) Eligibility

287. An Israeli or temporary resident who is an employee between the ages of 18 and 65, and a soldier within one year of demobilization from regular service are eligible.

(ii) Nature and level of benefits

288. The daily unemployment benefit is calculated at rates determined by law, on the basis of the daily average wage of the unemployed person during the last 75 work days of the qualifying period, up to the wage ceiling that has been determined.

289. For a demobilized soldier, the rate is determined on the basis of the daily average wage, calculated as 80 per cent of half the average wage, but not more than 80 per cent of the minimum wage.

(iii) Method of financing

290. Unemployment benefits are financed from insurance contributions, as follows:

	Full rate	Reduced rate
Employee	0.15%	0.08%
Employer	0.04%	0.04%
Ministry of Defence	unemployment benefit to soldiers released from the standing army	
Government		
- for employee	0.11%	0.07%

Child allowances

(i) Eligibility

291. All residents are covered.

(ii) Coverage

292. The child allowance is a monthly allowance paid to families according to the number of children in the family. The allowance rates, linked to the credit point as in the Income Tax Order, are as follows: for each of the first two children - one credit point (NIS 144 in January 1997); for the third child - 2.0 credit points; for the fourth child - 4.05 credit points; for the fifth child - 3.4 credit points; for the sixth child - 3.75 credit points; for the seventh and each additional child - 3.5 credit points.

293. The allowance rates are updated at the beginning of every fiscal year at the full rate of the previous year's rise in the Consumer Price Index, and whenever a cost-of-living increment is paid.

294. It should be noted that until 1994 there was a Special Increment for Veterans to the children's allowance, paid to families in which one of whose members served in the Israeli Defence Forces or other security branches. In January 1994 began a process of equalization of the level of the children's allowance, irrespective of military service. In the course of this process, which continued until the beginning of 1997, the number of child-allowance points of a family that did not receive Special Increment for Veterans was gradually equalized to the number of points of a family that did receive this increment. This amendment led to a rise in the level of the children's allowance paid to about 220,000 families with three or more children.

(iii) Method of financing

295. Child allowance is financed from insurance contributions, as follows:

	Full rate	Reduced rate
Employee	no payment	
Employer	1.88%	1.88%
Self-employed	1.88%	1.18%
Other insured	2.48%	1.10%
Government	0.60%	0.04%
- for employee		
- for self-employed	0.60%	0.06%

296. The Government participates at a rate of 160 per cent of total insurance contribution receipts.

Expenditures

297. Social security benefit payments amounted in 1995 to 7.0 per cent of GNP and 12.1 per cent of the government budget, as compared with 5.3 per cent of GNP and 3.5 per cent of the government budget in 1984. The main reason for the increased share of benefit payments in both GNP and the government budget is the massive immigration to Israel from the former Soviet Union and Ethiopia, which increased the number of benefit recipients, especially recipients of old-age pensions, children's allowances and unemployment benefits, by more than 60 per cent.

Combined public and private social security schemes

298. In the 50 years since its establishment, the State of Israel has succeeded in building a comprehensive system of social protection encompassing both social insurance and social assistance programmes. The National Insurance Institute is responsible for the administration of the social insurance programmes, as well as for payment of benefits under the social assistance programme, anchored in the Income Maintenance Law, 1990.

299. The majority of the formal social security schemes provide long-term benefits, which guarantee minimum subsistence by means of a flat-rate benefit (e.g. to every elderly person, to the disabled) as well as income supplements for those with no other sources of income. Other schemes (e.g. unemployment, maternity) provide short-term benefits aimed at providing income to persons

temporarily out of work, and these are paid at rates relative to previous wages. Thus, in most cases, the formal system is sufficient for providing social protection to all sectors of the population. However, a number of informal arrangements do exist regarding a number of schemes, and these will be briefly outlined below.

The pension system

300. The pension system in Israel today consists of two main tiers: the first is the formal State one, whose main function is to provide the country's citizens with basic economic protection and a minimum level of subsistence. This tier is operated by the National Insurance Institute. The second tier is intended to supplement the income of the worker and his/her family so that he/she may maintain a standard of living similar to the one he/she enjoyed when he/she worked, in terms of a defined percentage of his/her work income. This tier is operated not by the State, but by means of the voluntary public insurance arrangements of the trade unions.

301. The second tier consists mainly of insurance arrangements within seven Histadrut (General Federation of Labor) pension funds and another eight smaller pension funds, together covering over 80 per cent of employees in Israel. Such insurance arrangements are often anchored in collective work agreements between employers and employees, and guarantee pensions related to the workers' wage level. Some pension funds provide their members with additional social rights under these agreements. Some of such collective agreements are extended by extension order (this tool is described under article 8 of this report) to cover all workers in specific branches of labour. This tier also includes all civil servants and municipal employees who enjoy a budgetary pension under a special law.

302. A third, far less comprehensive tier consists of private savings which may amount to a significant share of retirement income for many individuals.

Long-term care

303. The Long-Term Care Insurance (LTCI) scheme in Israel, implemented by the NII, provides a service benefit to the elderly who are largely dependent on the help of others to perform everyday functions (dressing, eating, washing, mobility in the home, etc.). Those entitled to the benefit receive long-term care services from a basket of services defined by law, which includes: assistance of care-givers in the performance of everyday functions in the home and household management, care in day-care centres for the elderly, laundry services, etc. The benefit is paid to the organization providing the services, and not directly to the elderly person.

304. This benefit was enacted in 1986 as a new chapter within the National Insurance Law (chap. 6 E). From its early stages, the purpose of this legislation was not to finance existing formal services, but to complement the then-existing system of service provision in terms of scope and quality, as well as to enhance the family's role as primary care-giver. LTCI was viewed at the first stage of implementation as an additional element in the broader spectrum of long-term care, both institutional and non-institutional.

305. Research has shown that in Israel the family is the primary provider of long-term care to the elderly and is in fact the most important resource in this care. Studies show that prior to the implementation of the law in 1988, approximately 80 per cent of the elderly dependent in functional activities of daily living were receiving care from family members, while formal services provided by Government and public agencies covered a much lower proportion of the aged. The legislators of LTCI were interested in encouraging the continued provision of informal care provided by the family, and thus did not exclude from eligibility for benefit individuals who were receiving adequate care from informal sources, thus recognizing the implied costs of this informal care.

306. Under the law, two rates of benefit are provided: the first, equivalent to a full disability pension, or 10 hours of care per week, for an elderly person who has become dependent to a large extent on the help of others for the performance of everyday functions or who is in need of supervision; and the second rate, equivalent to 150 per cent of a full disability pension, or 15 hours of care per week, for an elderly person who has become completely dependent on the help of others for the performance of everyday functions or who is in need of constant supervision. In any event, the payment of benefit is not higher than the recompense for the actual hours of care provided.

307. Since the law was first implemented, hundreds of service-providers have been set up and consolidated, about half of them public non-profit organizations and half commercial profit businesses. In many cases, the hours of care covered by LTCI are not sufficient, and the elderly persons' families supplement these with additional hours of care paid for privately from their own pockets, often by the same companies. In any case, the care provided by outside help, whether it is financed totally or only partially by social security, does not take the place of the family in the care of the elderly person, but only eases its burden of care.

The Counselling Service for the Elderly and Pensioners

308. In 1972 the NII developed a Counselling Service for the Elderly and Pensioners within its own framework. In addition, a group of friendly home visitors was organized to visit elderly people who were unable to come themselves to the local branches of the NII in order to receive aid and advice. The service is based on the work of volunteers, themselves elderly, who belong to and are supervised by the system which supplies the welfare services, but are not tied to its formal procedures. Thus, they may act as informal mediators between the system and the needy elderly.

309. The aim of the service is to improve the services provided to the elderly by the NII and not to limit itself to the granting of monetary pensions only. The NII recognized the need to place an informal system of advice and mediation not connected with bureaucratic procedures at the disposal of the elderly and pensioners in order to ensure that pensioners maximize the use of their social security rights and welfare services in the community. The project proved itself, and today operates in all NII local branches throughout the country.

Equality in social security

310. The social security system in Israel is universal with most programmes covering all residents of the country. Social security benefits are aimed particularly at the most vulnerable and disadvantaged groups: the elderly (old-age, survivors and long-term care benefits), the disabled (general disability benefits, work disability benefits, mobility allowances), the poor (income maintenance benefits), divorced and separated women (alimony guarantee payments), children (children's allowances) and the unemployed (unemployment allowances). It may therefore be stated that there are no groups which do not enjoy the right to social security at all, or who do so to a significantly lesser degree than the majority of the population.

311. The Government endeavours to ensure that the right to social security, which is both inherent and explicitly guaranteed by law, is indeed enjoyed by all, and the measures it takes in this respect are detailed below. Furthermore, it reviews legislative measures to improve the situation of various sectors of the population.

312. Regarding women, it should be noted that regardless of their personal status, women who work outside of their homes and who are paid for their work are entitled to all the benefits from the NII to which men of similar status are entitled.

313. Women, except for "housewives" (to be discussed separately), are eligible for all the benefits that are set forth in the National Insurance Law (NIL) under the same conditions as men. They are covered by work injuries insurance, vocational training, survivors' benefits, accident insurance, children's allowance, unemployment insurance, disability insurance, insurance of employee in bankrupt and liquidated firms, reserve duty benefits and long-term care insurance.

314. There are no distinctions in the law regarding the contributions (premiums) of men and women to the NII. The amount of contributions of each insured person is set as a percentage of the insured person's income, regardless of gender. It should be pointed out that only housewives (married women whose spouses are insured and who do not work outside their home) are exempt from contributions toward the benefits to which they are entitled to under the law.

315. Housewives are not covered by all types of insurance. Housewives are not considered workers according to the NIL, and therefore are not eligible for income-replacement benefits such as work injuries insurance, maternity allowance, unemployment insurance, insurance of employees in bankruptcy, and to seniority increments to the old-age pension. Women are eligible for old-age pension from the age of 60 and men from the age of 65, subject to a means test, and from the age of 65 for women and 70 for men, regardless of income. This distinction is due to the differences in retirement age that still exist in Israel, and women have the option to retire at the age of 60. All women, including housewives, are insured by long-term care insurance, and the conditions of entitlement are identical to that of men with one distinction: the age of entitlement for women is 60 and for men 65.

316. Distinctions exist between housewives and all other insured persons regarding disability insurance. A housewife requires at least 50 per cent medical disability to qualify for benefits compared with 40 per cent medical disability for other insured persons.

317. Differences also exist between the definitions of widower and widow pertaining to survivor's benefits under work injuries insurance. A widower is defined as (i) someone who has a child living with him or (ii) is unable to support himself or (iii) whose income is not more than a determined sum. A widow is defined as someone who is (i) 40 years or over, or (ii) has a child living with her, or (iii) is unable to support herself.

Administrative measures

318. NII is first and foremost concerned that the individual take full advantage of his/her social insurance rights. Every insured person who dutifully paid insurance contributions during his/her working years is entitled to receive complete and reliable information on his/her rights and to ensure they are drawn on. The NII believes that the insuring body, namely itself, is at least partly responsible for guaranteeing these rights and that it should not be left to the extent to which the individual is capable of doing so. The NII has initiated a number of activities aimed at increasing the awareness of the insured person's rights, providing the means for the person to take full advantage of his/her rights, and minimizing the bureaucratic procedures involved.

319. Following are the main such activities:

(a) Once a year, every beneficiary receives an annual confirmation detailing the types of benefits he/she receives and the monthly sums transferred to his/her account over the past year. This confirmation is recognized by all public authorities, such as government ministries, local authorities and health funds, for purposes of granting a wide range of discounts and benefits to specific population groups; for example, discounts in urban taxes, discounts in rents in public housing, discounts in telephone fees, etc.;

(b) Just before a man reaches the age of 65 or a woman the age of 60, he/she receives a letter in the mail informing him/her of possible rights to an old-age pension, the rules of entitlement and a claims form. This guarantees that the pension is initiated immediately upon retirement, without any unnecessary bureaucratic delay;

(c) The family of every child born in a hospital is automatically entitled to child allowances, without the mother having to submit a claims form to the NII. This automatic registration is made possible due to an agreement signed between the NII, the Ministry of the Interior and the hospitals, according to which the hospitals inform the NII and the Ministry simultaneously of every live birth and the identifying data on the mother. This serves as a basis for including the newborn child in the children's file at the NII and for paying the allowance directly to the mother's bank account;

(d) Many new immigrants are entitled to receive benefits, such as special old-age benefits and child allowances, from the NII immediately upon their arrival in Israel. In order to guarantee immediate commencement of rights, all the demographic information needed by the NII is received on magnetic tape directly from the data file produced at the airport. In this way, new immigrant families receive all benefits due them without having to report personally to a local branch of the NII and submit a claim;

(e) Information booklets on national insurance rights, including amendments in relevant laws, are published regularly in various languages, and distributed to all health and social service agencies in the community;

(f) Intensive use is made of the local and national press, and prime-time spots are purchased on the national radio and television stations to pass on information to the public;

(g) Sophisticated computerized technology has been installed in each of the NII's local branches, so that every claimant can receive immediate information on the state of his/her account and on the benefits being paid him/her.

320. The many and varied methods used in Israel to transfer information to the public on its rights have been proven extremely effective in guaranteeing that persons take full advantage of their rights to the various benefits paid by the NII. An ongoing follow-up study carried out on this topic shows that close to 98 per cent of the entire potential population of beneficiaries receives benefits at the scope and level that they are entitled to under law. In the NII's opinion, it is impossible to ensure that 100 per cent of the population maximizes its entitlement benefits and recognizes the fact that despite all its sincere efforts, there will always remain a marginal percentage of the population that does not receive the benefits to which it is entitled. Its experience has shown that projects aimed at the full implementation of rights has led to rather disappointing results, ones certainly not justifying the high costs entailed.

Legislative measures

321. The following measures taken to implement rights to social security in legislation, should be noted.

322. Women. Housewives traditionally were not entitled to old-age pensions in their own right. They were thus exempt from paying contributions to the NII, and received half of the old-age pension of their spouses. In 1996, in order to achieve greater gender equality in the social security system, the law was amended and housewives now receive the minimum old-age pension although they are still exempt from contributions. As a result, within a few years all women in Israel, regardless of their working status, will be covered by old-age insurance.

323. The elderly. Another vulnerable group which has received careful attention and allocation of resources in Israel are the aged, especially those who are severely dependent due to functional disability, chronic disease and cognitive impairment. The State continues to provide personal care services

at home and in day centres to over 8 per cent of its elderly population under its community Long-Term Care Insurance Law of 1988. This law provides personal care on the basis of personal entitlement, thus enabling even severely disabled elderly people to remain at home, with dignity and in familiar surroundings, as long as they are able, and reduces the burden of care borne by the family.

324. The poor. As part of its programme to combat poverty and income gaps, the Government raised the level of old-age pensions by 7 per cent. Various legal provisions exist for the elderly to further improve their economic situation and enhance their quality of life and participation in society by significantly subsidizing municipal taxes, public transportation and medication for low-income groups.

325. The underlying principle of new anti-poverty legislation in Israel has been to equalize the rights to social protection between genders and among various groups of beneficiaries having similar needs, as well as raising the minimum income guaranteed to the most vulnerable groups: the elderly and single-parent families.

326. In order to reduce the number of families living below the poverty line, Israel has continued to expand its Law for Reducing the Scope of Poverty and Income Gaps, aimed at increasing protection of the most vulnerable social groups. Recent legislation significantly increased benefits paid to the elderly, the disabled, as well as single-parent families. In order to reduce poverty among large families, which constitute the most at-risk poverty group in Israel, the Government has completed final steps to raise the level of its universal child allowances to large families which will include groups which previously did not have full coverage.

327. One of Israel's most important recent accomplishments was the implementation of a National Health Insurance Program. Since 1995 there effectively has been universal coverage based on a comprehensive basket of health services. A more equitable system of health tax has been established with especially low health insurance rates set for low wage earners and all recipients of income maintenance benefits. Low contribution rates have also been set for all elderly recipients of old-age pensions. The effectiveness of this law will be measured to a large degree by the degree of equity in the access to quality health care for poor and other marginalized groups, which will be carefully monitored during the next few years.

328. Further review of trends and changes in national legislation, court decisions, etc. is available in the NII's report, Summary of Developments and Trends in Social Security - 1996, submitted to the International Social Security Association (ISSA).

Conclusion

329. Regarding measures taken to improve the lot of the vulnerable groups, it may be concluded that although we have been successful in reducing unemployment levels, pockets of high unemployment remain, especially in outlying development areas. The Government's policy is to continue allocating resources for the reduction of unemployment and poverty in these areas, thus reducing dependency on social support systems.

330. In order to continue Israel's war on poverty it is incumbent on policy makers not only to increase benefits but also to expand funding sources. Therefore, one important direction for policy will be the close examination of our social security system with the objective of increasing the degree of progressivity in our system, both in terms of taxes and the system of benefits targeted at the most vulnerable groups.

International cooperation and assistance

331. The International Labour Organization (ILO) and the ISSA provide the National Insurance Institute with a great deal of technical assistance, mainly by means of study grants abroad to senior employees of the NII. The NII, on its part, endeavours to reciprocate by assisting in guidance and instruction of workers studying abroad, particularly workers from Asia and Africa. Israel belongs to the Asian-African branch of ISSA, and within this framework participates in most regional conferences.

332. Furthermore, Israeli representatives regularly participate in the ISSA General Assembly meetings that take place every three years and in the technical activities of the organization by means of the various permanent committees, such as by replying to questionnaires distributed periodically.

333. However, the main mutual activity of Israel and ISSA is in the field of research. Israel actively participates in ISSA research conferences by preparing research papers and presenting them at almost every conference. In 1979 a research conference on the topic of "The Mutual Relationships between the Direct Taxation System and Social Insurance" took place in Jerusalem in 1979, and in 1989 our capital once again hosted a research conference on the subject of long-term care services for the very old. In January 1998 we are again scheduled to host an ISSA research conference on the subject of the impact of social insurance and other social support benefits on human behaviour.

334. In conclusion, the cooperation between ISSA and Israel contributes considerably to both sides. The experience of other countries has helped us in the development and expansion of various social security schemes, while Israel's contribution is expressed mainly in research and distribution of research findings to other countries through ISSA. Thus, the main goal of ISSA as an international organization - the promotion and development of social security in the world by means of international cooperation - is realized.

Article 10 - Familial rights

Related international conventions binding Israel

335. Israel is a party to the Convention on the Elimination of All Forms of Discrimination against Women, and in May 1997 submitted its first report to the United Nations Committee on the Elimination of Discrimination against Women.

336. Israel is a party to the ILO Minimum Age Convention, 1973 (No. 138). Its last report was submitted in 1996 and relates to the years 1991-1995.

337. Israel is a party to the International Covenant on Civil and Political Rights and to the Convention on the Rights of the Child since 1991, and will soon be submitting its initial reports on both Covenants.

Meaning of "family"

The definition of the term "family" in Israeli law

338. The term "family" is not uniformly defined in Israeli law, and different definitions can be found in distinct acts of legislation. Depending on their legislative purpose, some acts have taken a wide encompassing approach and defined the term "family" broadly. Hence, in the Domestic Violence Prevention Law, 1991, a "family member" is defined as: "spouse, parent, or parent's spouse, spouse's parent or his or her spouse, grandfather or grandmother, child or spouse's child, brother or sister, brother-in-law or sister-in-law, uncle or aunt, cousin or niece; whoever is responsible for the living, health, education or welfare needs of a minor or incapacitated person who is living with him/her, and a minor or incapacitated person living with such a guardian". For this law's purposes there is no difference between a present and a former family member.

339. A similarly broad definition can be found in the Court for Family Matters Law, 1995. A person's family member is defined there as - "(a) his/her spouse, including a partner for life, his/her ex-spouse, his/her spouse the marriage with whom has been annulled, provided that the subject matter of the proceedings is a consequence of the relation between them in the time period they were man and wife; (b) his/her child, including his/her spouse's child; (c) his/her parents, his/her spouse's parents or their spouses; (d) his/her grandchild; (e) his/her grandparents; (f) his/her or his/her spouse's brothers and sisters. A parent - includes a step-parent or a legal guardian".

340. At the same time, other acts have adopted a stricter reading of the term. For example, in the National Security Law (Revised Version), 1995, a family member is considered to be only "one of the parents, a child, a grandchild, a brother or a sister". Similarly, in the Equal Employment Opportunities Law, 1988, family members are narrowly defined as "spouse, parent, child, grandchild, brother, sister or a spouse of any of those".

341. The approach taken by the Israeli courts in ascertaining the meaning of the term "family" or "spouse" is also a functional approach which takes into account the policy goals of the pertinent legislation or agreement. Consequently, the courts have tended in some cases to stretch the concept of family beyond traditional understanding. Thus, the Supreme Court held that a tort victim has the right to claim compensation for services received from the kibbutz (collective farm) he/she lived on, on similar terms to the right to claim for services rendered by family members:

> "... [T]he ideological principle and social structure of the kibbutz are unique and universally incomparable ... [L]egally speaking, the structure is based upon collective equality between the individual members ... In theory and in practice, the sum of all individual members constitute one big family ... ."
> C.A. 619/78 Hunovitz v. Cohen, P.D. vol. 35 (4) 281, 295-96

342. In another case, which dealt with the term "spouse", the Supreme Court accepted a petition of a homosexual flight attendant to enjoy a work benefit normally accorded to an employee's heterosexual "spouse":

> "The desirable test should therefore examine the relevancy of the sexual orientation to the work benefit granted to the spouse. The purpose test meets this requirement. According to that test, there will not be any differentiation between a homosexual and heterosexual spouse if the companionship relations between the couple meet the standards which fulfil the purpose for which the right or benefit is being conferred ... . In our matter, the flight ticket was not intended exclusively for spouses married to employees, and in any case the purpose of the benefit could not have been the encouragement of traditional family life. The benefit was granted to an employee for the spouse with whom he is sharing his life in reality. Although the (airline) did not intend to implement the arrangement on homosexual couples, the companion's sex is irrelevant to the purpose for which the benefit was given."
> H.C. 721/94 El Al Israeli Airlines v. Danilovich, P.D. vol. 48 (5) 749, 785-86

Meaning of family in administrative practice

343. Many individual entitlements to social services and benefits are shaped taking into account familial recourses. By "family" one usually means in the present context the nuclear family: parents and children. But the structure of family is in a constant state of flux. On one hand, single parenthood has risen sharply in the last 10 years (1985: 54,600; 1995: 91,900) and the state of non-marital cohabitation is partly recognized by the State for purposes of social security, pension, damages awards under torts law, resident's protection against eviction, income tax regulations, and administrative or legal benefits of various sorts. On the other hand, the concept of "extended family" is used more and more, clearly including grandparents, brothers and sisters, even though it still lacks clarity in public cognition. (The status of the "tribe", for example, is scarcely considered in this context.) In short, the legitimacy of "non-traditional" family types and the dynamic nature of families now seems to be widely recognized, but concepts still have to be shaped and sharpened.

344. In allocating resources the Government aims to support various forms of "family", while not taking a stand on which concept of family is preferable. Some benefits exist for small single-parent families and others provide added financial assistance to those families which have four or more children. At the same time, the weakened ties with extended family are being strengthened through benefits which encourage families to provide care for their ageing relatives within their own homes.

345. The practical nature of allocating resources across the social spectrum, while healing the damage caused by Israel's push into modernity, is a daunting task. Nonetheless, each form of family is legitimate in the eyes of the State and is accorded a considerable degree of both social and financial support under the law.

Majority

346. Majority, for the purposes of civil law, takes place at different ages, depending upon the specific issue. For the purposes of responsibility in civil legal proceedings, it is 18 years old. Upon reaching majority, a person may make a legal contract, sue or be sued, or carry out any other legal action or process. Prior to the age of 18, any legal action or contract entered into by a minor may be voided by his/her parent or guardian.

347. Criminal liability. Generally, majority for the purpose of criminal liability is the age 12. Adolescents by the age of 18 are to be tried at a special juvenile court. There are specific legal provisions for exceptional cases where a youngster may nevertheless be tried as an adult.

348. The right to vote. The right to vote in national and municipal elections is granted to all citizens or residents, respectively, who have reached the age of 18.

349. Military conscription. An individual is eligible for conscription into the Israeli Defense Forces from the day of his/her eighteenth birthday. A person aged 17½ may volunteer for the armed forces providing that his/her parents have given permission.

350. Consent to marry. Women may marry without their parent's/guardian's permission from the age of 17 except for special circumstances. There is no minimum age for males. A revision of the status quo as to the age of consent for males is presently under consideration.

351. Legal capacity and compulsory psychiatric hospitalization. A youth aged 15 or older may appeal an order for his/her compulsory hospitalization in a psychiatric institution. In such cases, the court appoints a legal representative to present the interests of the youth during the appeal process.

Assistance to the family and its protection

The fundamental right to family life

352. The right to family life was addressed by the Supreme Court on several occasions. It has stated:

> "Every person has the right to form a family and have children." A.C.R. 2401/95 Nahmani v. Nahmani, Takdin-Supreme vol. 96 (3) 526

353. The court emphasized in some of its decisions the autonomy of the family unit and its immunity from State intervention:

> "In principle, the autonomy to raise a family, plan a family and give birth to children is a matter of personal privacy. Human liberty encompasses the freedom of independent choice on matters of marriage, divorce, birth and any other private matter within the personal autonomy. Judge Ben-Ito has pointed in the said C.A. 413/80 that: 'conception, pregnancy and birth are intimate events which are all

> included in the realm of personal privacy. The State does not interfere in that area, except for reasons of special weight related to the need to protect individual rights or a significant public interest' [cite omitted]."
>
> "..."
>
> "The aspiration to minimize State involvement in relations within the family unit, whether direct intervention or judicial intervention, emphasizes the unit's right to autonomy, and the protection from interference in the relations between the family and the State and between the different members of the family unit. Situations where intervention is required are normally sensitive and complex, and it is needed where a crisis in the family unit has occurred and State intervention through the courts is designed to solve problems that the parties failed to settle on their own."
> C.A. 5587/93 Nahmani v. Nahmani, Takdin-Supreme, vol. 95 (1) 1239, 1241.

354. Furthermore, the court recognized as a constitutional human right the right to parenthood:

> "The right to become a parent is a fundamental human right to which everyone is entitled."
> C.A. 451/88 Anonymous v. The State of Israel, P.D. vol. 44 (1), 330, 337.

And so is the case of the right of parents to raise and educate their children, as they think best:

> "The right of parents to raise and educate their children as they think best is a basic constitutional right, and a natural right which is inherent to, and stems from, the links parents have to their children. The family unit does not exist outside the constitutional system, but it is an integral part thereof. Parents are entitled, within the family unit, to exercise rights recognized and protected by constitutional law. The right of parents to have custody of their children and to raise them, with all this implies, is a natural and primary constitutional right, which gives expression to the natural connection between parents and their children [cite omitted]. This right is reflected in the privacy and autonomy that the family enjoys. Parents are autonomous in making decisions relevant to their children in the areas of education, lifestyle, residence etc. Interference on behalf of society and the State in these decisions is an exception which must be justified [cite omitted]. This approach is based upon the belief that 'the family is the basic and most ancient social unit in human history that has been, and still is, the element that facilitates and secures the continued existence of human society' [cite omitted]."
> C.A. 2266/93 Doe v. Roe, P.D. vol. 49 (1) 229, 238-89.

Marriage

355. The Marriage Age Law, 1950, states that the minimum marital age for all women in Israel is 17. No minimum age for men is set. Since the substantive law that applies in matters of marriage is derived from the individual's religious law, the minimum age for men would be drawn from religious law.

356. The minimum age requirement is accompanied by provisions that make the arrangement of under-age marriages a criminal offence punishable by up to two years' imprisonment. The possible offenders include the person who arranges the marriage, the person who conducts the marriage, and the marrying man himself. The under-age woman is excluded. The law also provides that the mere fact that a marriage was conducted in violation of this law is a ground for divorce.

357. Article 5 of the Marriage Age Law, 1950 provides for two alternative grounds for judicial permission of under-age marriage. The first one relates to circumstances in which the under-age woman is pregnant from or has given birth to the child of the man whom she asks permission to marry. No age limit at all is attached to this ground for exception. The second relates to unspecified "special circumstances" that would justify immediate marriage, provided the woman is over 16 years old. Since the legislature has left those "special circumstances" unspecified, the Supreme Court has taken it upon itself to provide instructions as to the substance of those circumstances. In one of the leading cases, then Justice Barak firmly stated that a community's custom and tradition do not justify marital exception, since it is those traditions and customs that the Marriage Age Law, 1950 was set to abolish.

358. Criminal sanctions contribute to the reduction of the phenomenon of marriages involving minors. However, it has not been eliminated altogether, as can be seen from the following tables, which contain data on marital ages in Israel.

Marriage of minors up to age 17

Year	Jews			Muslims		
	Brides		Grooms	Brides		Grooms
	Up to 16	17	17	Up to 16	17	17
Average 1975-1979	12.3	48.4	1.2	19.6	133.1	2.2
Average 1985-1989	2.4	17.4	0.3	15.4	140.2	1.7
1991	0.9	13.9	0.1	10.1	173.1	0.7
1992	0.7	11.4		0.5	179.7	
1993*	0.6	10.6	0.2			

* Statistics are not available for this year for Muslims.

Source: Central Bureau of Statistics.

Marriage of young people up to age 19

Age	Jews	Muslims	Christians	Druze
	Grooms			
Total	26 680	7 857	795	703
Total to age 19	652	540	5	53
Up to 17	18	16		
18	166	186	5	16
19	468	338		37
	Brides			
Total	26 680	7 857	795	703
Total to age 19	3 258	3 845	149	386
Up to 16	27	15	4	2
17	397	1 558	28	157
18	1 147	1 207	45	117
19	1 687	1 045	72	110

359. Since questions of marriage and divorce are determined by religious law alone, the secular legislature cannot decree bigamous marriages invalid when such marriages are recognized by the relevant religious laws, but can only operate against them through criminal law. Section 176 of the Penal Law, 1977, makes bigamy a criminal offence punishable by five years' imprisonment. Sections 181-182 prohibit forcing divorce upon one's wife with no judicial decree of divorce, and makes the arrangement of such prohibited marriages or divorces a criminal offence. Sections 179-180 provide exceptions for the rule against bigamy. Section 180 applies to all individuals whose religious affiliation is other than Jewish, and indicates that incapacitation of one's spouse or seven years' absence therefrom may justify marriage to another person. Section 179 applies only to Jewish people, providing immunity to a person whose second marriage was permitted by a rabbinical court's judgement that underwent the specific Halachic procedure to make it religiously valid.

360. Since religious law accommodates bigamous marriage, further legislative intervention must be made in particular areas of law where the interests of the two wives may conflict. Such accommodations were developed in response to certain population groups who immigrated to Israel. For example, the Successions Law, 1965 specifically states (in section 146) that when a man who dies was married to two women, both of them shall share in the estate, where ordinarily the estate is given to the sole wife of the deceased.

Strengthening and protecting the family

361. The basic premise of the Israeli law is that the primary obligation to support the members of a family lies with the family itself. This principle is anchored in the Legal Capacity and Guardianship Law, 1962, which defines the duties of parents and guardians. As the "natural guardians" of their minor children, parents have both a statutory obligation and a right to attend to their child's needs, including education and upbringing, vocational training, and maintenance of the child's property. Their guardianship also includes the right to custody of the child and the right to represent the child. These rights have been interpreted by the Israeli courts as "the right to fulfil their obligations". (Full text of the law is attached in annex 2 to the present report.)

362. Nevertheless, the State recognizes its obligation to protect families whenever family members substantially fail to fulfil their responsibility. Various laws grant intervention powers to the authorities (at the municipal or national level), requiring judicial approval. These powers range from issuing specific instructions to the child's parent or guardian on how to care for the child to extracting the child from their custody and assuming responsibility for the child's care, whether temporarily or definitively in the form of an adoption order. Such main laws are the Youth (Care and Supervision) Law, 1960 and the Adoption of Children Law, 1981. (Full texts attached in annex 2 to the present report.)

363. In addition, various Israeli penal laws prescribe criminal sanctions against parents or other primary care-givers for abandonment and neglect, assault and molestation (including physical, emotional or sexual molestation), and set grounds for the courts to issue protection orders against a violent family member in the home of either the child or the spouse.

364. The primary consideration in all the above cases involving children is "the best interests of the child". This concept lies at the core of a huge jurisprudence, too complex to be reviewed here. In general much weight is given by the courts to the professional opinion presented in written reports by welfare officers, who are trained social workers appointed under each law.

365. In addition to intervention powers to deal with acute crises, the Government attempts to facilitate and maintain the establishment of a family by means of various social programmes and economic benefits.

366. The main economic benefits granted by the State to aid families are part of the social security schemes provided by law on a universal basis to all families in Israel (these schemes are detailed in this report under article 9). Child allowances, designed to prevent a reduction in the standard of living of families that may result from the burden of raising additional children, provide tax relief and the payment of allowances through the social security system. Increments to benefit for dependent children are paid with old-age pensions, survivors' pensions, disability pensions, in-home care for the elderly. There are no situations in which families do not enjoy any benefit of assistance, or who do so to a significantly lesser degree than the majority of the population.

367. Special assistance to single-parent families are anchored in the Single Parent Law, 1992. (The full text of this law is attached in annex 2 to this report.) This law defines a "single parent" in broad terms applying to both women and men. The law entitles single parents to a special education grant, priority in vocational training programmes and in day-care facilities, and it raises the level of assistance in housing aid schemes. This is also provided for under the Maintenance of Income Law, 1980.

368. There exist other administrative programmes which aid families in need in various ways. For example, low-income working parents may apply to send their pre-school-aged children to government-supported day-care centres; the Health Ministry runs family health clinics in every city, which provide public counsellng, self-help groups, parenting classes, and primary health care for toddlers. Such programmes are based on need, whether implied in the qualification criteria of the programme or determined by means tests.

369. Israel also has an active voluntary sector, many of its organizations directed towards family and education-oriented projects.

370. There is a high level of interaction between the Government and the various voluntary bodies. The Government, in line with its policies, encourages volunteerism through support of existing voluntary organizations and involvement of volunteers in government agencies, and encourages residents to participate in the decision-making process on matters affecting their own neighbourhoods and communities.

371. The Government considers welfare services its responsibility, but in some service areas it relies on non-governmental organizations (NGOs) to provide welfare services as well as some of the money that is required.

372. Institutions for children in Israel are supervised by the Ministry of Labor and Social Affairs, under the provisions of the Supervision of Children's Institutions (Care Centers) Law, 1965. By-laws and regulations were drawn up by the Ministry regarding all aspects of the institutions' operations, e.g. structures, plant maintenance, supplies, personnel, professional services, etc. There is extensive supervision of all institutions for children up to the age of 12. All institutions, except for those for delinquent or mentally handicapped children, are run by NGOs. The institution determines the type of child it wants to receive.

373. An interministerial finance committee determines the level of financial support to be provided by the Government. At present, this support accounts for 85 per cent of the cost of the child in the institution. The NGOs must provide the additional 15 per cent. A special government building fund provides funding for the building of day-care centres in cooperation with the NGOs, turning them over to the municipal authority which in turn passes the centre on to the NGO for day-to-day operation. Negotiations take place annually regarding the Government's participation in child support in the day-care centres. Today the Government covers the cost of 75 per cent for each child and the NGO 25 per cent.

Equality of treatment

374. No sector of the population is excluded by law or administrative rule from receiving any of the above services. But many of the services available are restricted by budget, and the Ministry of Labor and Social Affairs has received complaints that the amount of resources allocated to the Jewish sector of the population outweighs the amount of money and resources presently directed at the non-Jewish sectors of the population.

375. Unfortunately, differential data regarding budget allocation to municipalities for social services relevant to the present Covenant are still not available.

Maternity protection

376. Labour law protection for working women is a combination of a long-standing system of benefits, provided largely through the social insurance system, for supporting mothers and their families during pregnancy, birth, and post-natal care. The result is an efficient system of maternity protection.

Maternity leave and protection of pregnant working women

377. The Women's Employment Law, 1954, establishes the right of a woman to take a paid 12-week maternity leave. Under special circumstances, including sickness, the birth of more than one child or the need for the baby's hospitalization, the leave may be extended. For four months following her regular maternity leave, a woman who works full-time may leave work for one hour each day without affecting her salary. In addition, this law provides for a woman's right to extend her absence from work - without pay but also without concern that her employment may be terminated - for an additional period which is determined by how long she was employed before the leave.

378. A recent amendment to the said law allows for men to take half of the 12-week maternity period in place of the mother, even if his spouse is not employed. This amendment recognizes the legitimate desire of many fathers to bond with their infants during this crucial period, the shifting burden of parenting upon the male, and the success of women and their legitimacy in the workplace.

379. Maternity leave is mandatory and may be taken at any point after the middle of the seventh month of pregnancy. Both men and women are allowed to take leaves of absence, characterized as sick leave, while undergoing fertility treatments. Likewise, pregnant women are entitled to paid absences from work for routine medical examinations. When high-risk pregnancy causes inability to work, the woman is entitled to her salary from the National Insurance Institute and her seniority rights are protected.

380. This same law ensures the woman's job security. An employer cannot terminate an employee during her pregnancy; if an employee is dismissed during her pregnancy, the employer has committed a crime and is subject to

prosecution, while the worker is reinstated. If the worker has not informed her employer of her pregnancy (this is not compulsory until the fifth month) and is terminated, she will be reinstated, but the employer is not guilty of committing a crime.

381. The prohibition on terminating employment has an exception. The Minister of Labor and Social Affairs has the authority to grant permission to an employer if he/she is satisfied that there is no link between termination of work and maternity. The department at the Ministry charged with control powers under the Women's Employment Law also conducts the necessary inquiries for the purpose of deciding on these permission applications.

382. While the employer is not responsible for paying an employee's salary while she is on maternity leave, the employer is legally bound to continue making payments into the employee's retirement fund and any other recognized employer-employee contribution-driven plans.

Coverage and benefits

383. The first benefit is free hospitalization for the baby's delivery. This hospitalization is covered as part of the basket of services in Israel's comprehensive National Health Insurance Law, 1995. The benefit is paid directly to the hospital. Costs are covered also in the event of a stillbirth.

384. After the baby has been born, the parents receive from the National Insurance Institute (NII) a maternity grant, to defray the costs of outfitting their home for the baby. This benefit is equal to 20 per cent of the average wage. In the event of multiple births, the sum rises significantly (see birth allowance below).

385. The maternity grant is paid to all residents or wives of residents, even if they gave birth outside of Israel, as well as to non-resident women working in Israel or wives of non-resident men working in Israel, provided they gave birth In Israel.

386. There is also a grant for adopting parents, equivalent to the maternity grant, based on the number of children under the age of 10 who were adopted on the same day.

387. If three or more children are delivered in the same birth, families receive a birth allowance for six months. The purpose is to alleviate the special costs incurred with multiple births. For the third child, the benefit is equal to 50 per cent of the average salary. For the fourth child, it equals 75 per cent and for the fifth (or more) it equals 100 per cent.

388. The maternity allowance (or vacation pay in the case of adopting parents) is paid to a working mother during her 12 weeks of legally mandated maternity leave. The benefit is equal to 100 per cent of the woman's average salary during the previous three months, up to a ceiling, and is paid by the NII. This benefit is taxed and social insurance payments are deducted.

389. The birth protection allowance is meant for women who, on doctor's orders, must take a leave from work of over 30 days in order to successfully bring their baby to term. This benefit, which is 25 per cent of the average wage, is paid by the NII.

History and development

390. Maternity insurance was embodied in 1954 in the National Insurance Law, and was one of the first divisions of the National Insurance Institute. Maternity insurance was considered of utmost importance to the welfare of the family in general and to the working mother in particular.

391. The changes pertaining to maternity allowance which took place between 1954 and 1995 share a clear common denominator: the widening of the circle of women entitled to maternity allowance, both by changing the calculation of the qualifying period and by changing the definition of the entitled population. The rates of the allowance were not changed until 1995, when it was increased from 75 per cent of the woman's (gross) previous wages to 100 per cent of her (net) wages.

392. The main changes which occurred in the maternity grant since 1954 can be summed up as follows:

(a) 1955: the size of the maternity grant aimed at acquiring a layette in the case of a multiple birth was increased.

(b) 1986:

- (i) Distinction was made within the maternity grant between the layette grant aimed at acquiring a layette and the hospitalization grant paid directly to the hospital, except in cases in which the birth took place in a hospital in which there was no payment arrangement with the NII (such as hospitals abroad). In such cases the mother submits receipts and is reimbursed, up to the amount of the grant determined by law. The layette grant is given as a cash payment directly to the mother by the hospital in which she gives birth;

- (ii) A method for adjusting the maternity grant was determined: 20 per cent of the average wage for purposes of benefit payments in January every year, with additional adjustments reflecting cost-of-living increments. Thus, the real value of the maternity grant is maintained and anchored in law; its adjustment is automatic and not subject to the discretion of the Minister of Labor and Social Affairs, as previously.

393. The birth allowance was added in 1986 within the framework of maternity insurance: the birth allowance is paid to a family in which three or more children were born in the same birth, of which three or more remained alive

for a period of time determined by law, in order to help the family overcome the economic burden of a multiple birth. The risk pregnancy benefit was instituted in 1991. Free hospitalization for delivery prior to the enactment of the National Health Insurance Law in January 1994 was paid by the NII.

Equality

394. All of the above-mentioned maternity protections and benefits are granted to all citizens and residents of the State of Israel, regardless of race or religion. Only those who have not paid their social insurance dues for a minimum number of months in the two years preceding the child's birth are not entitled to full financial benefits granted by the NII. There are no groups of women who do not enjoy any maternity protection whatsoever or who do so to a significantly lesser degree than the majority. (Additional information is provided in this report under article 9 of the Covenant - Social Security.)

Youth protection

395. The Youth Employment Law, 1953, prohibits employment of persons under the age of 15. During summer the minimum age drops to 14, but permission from the Ministry of Labor and Social Affairs is required. Moreover, youngsters over the age of 15 who are still under the purview of the Compulsory Education Law may be employed only in accordance with the Apprentice Law, 1953. (Full texts of these two laws are attached in annex 1 to this report.) A labour contract with a person under minimum age is void, even with the consent of his/her parent or guardian.

396. According to official government data, about 30,000 young people aged 15-18 were legally employed in 1995. This figure represents 11 per cent of Israel youth. There are no accurate data describing the distribution of working youth according to sector or type of employment, nor are there data on the extent of employment of youth within the household. Youth on kibbutzim (collective farms) often work there during school vacations, largely in agriculture, service occupations or light industry. The number of youth in this group is small since the total percentage of people of all ages who reside on kibbutzism is less than 3 per cent of the country's population.

397. It is believed that there are a few tens of thousands of children employed illegally in Israel. Their employment is illegal either due to the children's age or because they are working longer hours than the maximum permitted by law. Most of these children and youth are employed as physical labourers in outdoor markets and other temporary jobs. In 1994 the Israeli police established a unit for the enforcement of labour laws. This unit has made concerted efforts to enforce child labour laws.

398. Lately, the distribution of information on child labour laws to both youth and employers has increased. Printed materials have been prepared and distributed by voluntary organizations such as the National Center for the Child and the Union of Youth Workers, an organization created specifically to represent the rights of workers under the age of 19.

399. There are no accurate official data regarding the phenomenon of illegal employment. However, the common perception among government officials is that there has been a slight decrease in illegal child labour in the last two years. It is nonetheless clear that in order to reduce the instance of illegal child and youth labour, better enforcement is needed, as is better awareness of labour laws among children and employers.

400. Finally, legal provisions pertaining to special protection of children within the family, such as protection from neglect, child abuse of all sorts, etc., have been described in paragraphs 352-375 and are relevant in the present context also.

Article 11 - The right to an adequate standard of living

401. The right of everyone to enjoy an adequate standard of living is generally considered as obvious and is recognized under the Israeli legal system. This recognition is not embodied in one single legal text. Instead, there exist various legal entitlements and administrative measures aimed at securing everyone's subsistence, which are described in this chapter. All together, these entitlements and measures embody a definite commitment on the part of the State to securing a decent standard of living for everyone.

402. Furthermore, one can say that the "right to basic needs", as a coherent right standing on its own, is an emerging concept in the Israeli legal culture. There are a few signs to support this statement that should be briefly surveyed before going into the details of housing and food rights.

403. The most evident indication of the emergence of a constitutional right to basic needs is the already mentioned Basic Law: Social Rights Bill (1993). One should also recall the interpretation given to the Basic Law: Human Dignity and Freedom (1992) in one of the Supreme Court President's books, according to which the right to basic needs is part of the constitutional right to human dignity (Barak 1994:416).

404. Also important in this context are various remarks made by the Israeli courts. The Supreme Court has dealt with the right to basic living conditions mainly in the context of providing minimal guarantees to those affected by the exercise of legal rights. One example of such a guarantee is the case of alimony and child support payments. The court has ruled that even when such payments can be normally withheld (e.g. for refusal of the recipient to respect the rights of the supporting party), this rule does not apply when the recipient lacks basic living needs:

> "We agree that a minor that refuses to follow a court order, and in the case before us, refusal to attend meetings provided for in the divorce agreement, can be regarded as a rebel. However, even a rebellious child does not lose his (or her) entitlement for child support. The exemption the father enjoys is not definitive in all circumstances because it is not permitted to bring even a rebellious son or daughter to the verge of hunger and leave him or her with nothing."
> C.A. 1741/93 Azoulai v. Azoulai, Takdin-Supreme, vol. 94 (2) 1784.

405. A similar problem has risen in the case of traffic accidents that deprive the victim of living resources before the completion of the legal proceedings. In order to alleviate this problem the legislator amended the Compensation for Traffic Accidents Victims Law 1975 and introduced the possibility of claiming intermediate compensations, on which the Supreme Court remarked:

> "The underlying idea of the institution of immediate compensation, and the goal the legislator has set in this legislative innovation, is to provide with great urgency the victim of a traffic accident the sum required to cover his/her expenses, including hospitalization expenses, and his/her and his/her family's living needs, until a final decision is reached concerning the compensation he/she is entitled to. The general thrust is to deliver those funds to the victim as soon as possible, so to provide him/her and his/her family with these basic needs, which cannot be put on hold until his/her claim is being adjudicated in normal proceedings which may take very long ..."
> C.A. 387/82 Karnit - Compensation for Traffic Accident Victims Fund v. Assido, P.D. vol. 40 (4) 213, 219.

406. In another case, the Supreme Court discussed the Judgment Execution Law, 1967, which limits the creditor's right of recovery, in light of the social conditions of the debtor:

> "The legislator did not wish that the operation of the execution mechanism would cause the debtor to lose all of his possessions and become a burden on society. This is the basis for several provisions stemming from what are essentially social ideas, which were stipulated in the said law and involve taking into account the circumstances of the debtor.
>
> "For instance, [in] Chapter B which deals with seizure of chattels ... Article 22 determines which chattels may not be seized. The enumeration reveals that these are chattels which are necessary for the nutrition needs of the debtor and his/her family, clothing and furniture vital to them, tools and machines which are the source of the debtor and his/her family's livelihood (with certain limits), etc. This is also the case with seizure of property held by a third party ... [T]he provision of Article 50 (a) to the said law lists what are assets held by a third party that may not be seized ... This section encompasses, among other things, minimal monetary sums held by a third party that constitute part of the indebted party's wage ... which is necessary for his sustenance so he will not suffer poverty and hunger-related disgrace ... The common denominator to all the above-mentioned provisions in the law is the degree of consideration given to the circumstances of the debtor, on the basis of the important and worthy social principle we have described."
> C.A. 711/84 Israel Discount Bank Ltd. v. Fishman, P.D. vol. 41 (1) 369, 374-375

407. The Supreme Court addressed on several occasions the question of what are minimal standards of living in the context of imprisonment conditions, and held that:

> "In Israel, an imprisoned or arrested person is entitled to be incarcerated under conditions which allow civilized human life. We do not attribute any importance to the fact that this right was not codified in an act of legislation. This right is a fundamental human right and in a law-respecting democratic state it is so obvious as if it was formally written and enacted. We have already had the opportunity to emphasize that if incarceration is intended, as an act of necessity, to deprive a person from his/her physical freedom, it does not purport to deprive from him/her his/her self-image and humanity ...
>
> "What are the conditions that allow civilized human life? A civilized human being has spiritual needs in addition to his physical living needs: He can, for instance, survive and live by eating with his bare hands. However, a civilized human being needs a plate, spoon and fork to eat with. A civilized person is not necessarily full of civility, but he is living in a time and place characterized by that civilization ... [I]t is thus necessary to establish minimal standards to meet the 'conditions that allow civilized human life' in prison. At the same time, the more these standards are added upon and improved, the better it is - whereas he who detracts from them and does not meet them, fails to meet a minimal obligation of civilization ...
>
> "[T]he standards should be determined according to the needs of an ordinary person. As long as we force a prisoner - even one that recently arrived as an uninvited guest or an enemy and harasser - to stay in an Israeli prison, he/she is entitled to living conditions according to the minimal standards of people in Israel, and we must secure or grant them."
> H.C 221/80 Darwish v. The Prison Service, P.D. vol. 35 (1) 536, 538-40 [minority opinion, rejected on other grounds]

408. The above citations are not representative of a coherent and systematic judicial approach. Examples of disregard of socio-economic factors in judicial reasoning can also be found in Israeli jurisprudence. But these are encouraging signs when evaluated in the context of a growing awareness of social rights as fundamental or constitutional rights.

The current standard of living of Israel's population

Available data on living standard and poverty

(i) Standard of living

409. The following tables present the main available data up to this date on the standard of living in Israel.

BUDGET OF URBAN HOUSEHOLDS, BY DECILES OF NET OVERALL INCOME PER STANDARD PERSON AND STATUS AT WORK OF HOUSEHOLD HEAD
1992/93

	Status of work of household head			Decile										Total
	Not working	Self-employed	Employee	Upper	9	8	7	6	5	4	3	2	Lower	
Upper limit of deciles (NIS)					3 460.0	2 687.0	2 198.0	1 885.0	1 818.0	1 385.0	1 182.0	976.0	760.0	
Households in population (thousands)	435.7	145.8	695.1	127.8	127.7	127.7	127.7	127.5	127.7	127.6	127.8	127.7	127.5	1 276.7
Average persons per household	2.7	4.1	3.8	2.3	3.1	3.3	3.3	3.5	3.4	3.7	3.9	4.2	4.1	3.5
Average standard persons per household	2.3	3.2	3	2.1	2.6	2.7	2.8	2.8	2.8	3.0	3.0	3.2	3.1	2.8
Average earners per household	0.4	1.7	1.6	1.4	1.6	1.6	1.5	1.4	1.2	1.2	0.9	0.9	0.5	1.2
NIS per household per month at average prices of survey period														
Net overall income	3 510	6 615	5 765	9 943	7 901	6 629	5 632	4 941	4 143	3 798	3 262	2 786	1 881	5 092
Gross money income	2 948	8 100	6 274	11 737	8 946	7 103	5 844	4 971	3 992	3 682	2 972	2 547	1 673	5 348
Net money income	2 819	5 618	4 979	8 514	6 703	5 589	4 767	4 205	3 461	3 219	2 702	2 369	1 615	4 315
Money expenditure	2 818	5 023	4 738	5 650	5 611	5 243	4 638	4 196	3 722	3 658	3 204	2 929	2 299	4 115
OVERALL GROSS INCOME - TOTAL	3 640	9 097	7 059	13 166	10 144	8 143	6 709	5 707	4 674	4 262	3 532	2 964	1 939	5 125
From work	765	7 443	5 679	8 967	7 708	6 088	4 821	4 074	3 070	2 852	2 038	1 627	779	4 203
From capital	897	1 223	855	2 397	1 428	1 170	967	780	688	546	534	372	225	912
From pensions	730	108	118	1 176	492	396	398	237	239	116	131	52	(16)	325
From allowances and assistance	1 248	323	408	625	516	489	523	610	678	748	829	913	919	685
NON-CONSUMPTION EXPENDITURE - TOTAL	178	2 554	1 349	3 504	2 322	1 558	1 121	798	547	478	291	185	61	1 087
Compulsory payments	130	2 482	1 295	3 223	2 243	1 514	1 077	766	531	463	270	178	58	1 033
Transfers to other households	48	72	54	281	78	44	44	(32)	(15)	15	(21)	(7)		54
CONSUMPTION EXPENDITURE - TOTAL	3 652	6 308	5 758	7 481	7 179	6 574	5 749	5 137	4 585	4 380	3 890	3 427	2 613	5 102
Food	590	977	831	827	908	867	851	733	735	764	705	683	581	765
Vegetables and fruit	182	269	228	226	252	241	236	216	213	220	196	200	170	217
Housing	867	1 266	1 018	1 654	1 448	1 293	1 087	985	874	789	761	613	439	994
Dwelling and household maintenance	355	606	492	724	649	585	502	437	405	377	334	303	266	458
Furniture and household equipment	185	293	338	426	352	351	333	295	258	250	189	203	149	281
Clothing and footwear	172	353	378	332	377	369	353	300	269	283	274	270	217	304
Health	309	406	383	538	491	464	398	372	321	313	273	247	186	360
Education, culture and entertainment	318	754	810	836	930	910	743	909	620	570	469	355	223	635
Transport and communication	450	1 047	950	1 488	1 392	1 126	901	785	597	553	480	364	217	790
Miscellaneous goods and services	227	337	330	430	378	367	347	317	293	260	209	191	165	296

AVERAGE GROSS MONTHLY MONEY INCOME OF URBAN HOUSEHOLDS, BY SOURCE

Financial data - at uniform prices of each surveyed year

	1995	1994	1993	1990	1985
Household head - employee					
Households (thousands)	863.5	796.1	732.6	632.8	599.1
Average persons per household	3.9	3.7	3.8	3.8	3.8
Average age of household head	40.4	40.9	41.0	41.2	41.1
Average earners per household	1.7	1.7	1.7	1.6	1.6
Average monthly money income (NIS)					
per household - gross	8 320	7 341	6 048	46 027	1 250
- net	6 468	5 862	4 882	3 231	927
per standard person - gross	2 720	2 448	1 983	1 337	411
- net	2 115	1 954	1 600	1 073	305
Average net money income per standard person					
Per cent real (1) change	-1.7	8.7	0.9	-1.1	
Gini coefficient	0.243	0.252	0.230	0.220	0.218
SOURCES OF INCOME - TOTAL (per cents)	100.0	100.0	100.0	100.0	100.0
Employed work - total	85.8	85.8	85.7	87.7	89.6
Income of household head	61.8	61.9	62.7	66.4	69.1
Income of household head's spouse	16.7	17.6	16.5	16.0	15.4
Income of other earners	7.3	6.3	6.4	5.2	5.1
Self-employed work	2.5	2.0	2.4	2.7	1.6
Property and assistance	11.3	12.1	12.0	9.6	8.8
Thereof assistance and allowances from institutions	7.6	7.3	7.6	6.1	5.7
Household head not working					
Households (thousands)	372.6	368.2	367.3	338.4	271.1
Average persons per household	2.2	2.3	2.4	2.3	2.3
Average age of household head	62.4	61.1	60.0	60.2	61.2
Average earners per household	0.1	0.1	0.1	0.1	0.2
Average monthly money income (NIS)					
per household - gross	2 690	2 252	1 939	1 327	374
- net	2 576	2 207	1 903	1 287	367
per standard person - gross	1 326	1 065	897	623	180
- net	1 270	1 044	881	604	177
Net money income per standard person					
Per cent real (1) change	10.6	5.6	-1.5	5.6	
Gini coefficient	296	0.275	0.272	0.275	0.266
SOURCES OF INCOME - TOTAL (per cents)	100.0	100.0	100.0	100.0	100.0
Work	4.4	9.7	8.0	10.0	9.4
Property and assistance in Israel - total	88.9	83.5	86.5	83.3	80.9
Capital and property	3.4	2.2	2.7	2.6	2.8
Pensions	29.2	26.0	24.7	24.4	23.9
Allowances and assistance from institutions	55.0	53.7	57.2	54.4	52.6
Assistance from private persons	1.3	1.6	1.8	1.9	1.5
Property and assistance from abroad	6.6	6.9	5.6	6.8	9.7

URBAN HOUSEHOLDS HEADED BY EMPLOYEES, BY DECILES OF GROSS MONTHLY MONEY INCOME PER URBAN HOUSEHOLD AND BY CHARACTERISTICS OF HOUSEHOLD HEAD

1995

	Deciles of income										Total
	Upper	9	8	7	6	5	4	3	2	Lower	
Upper limit (NIS)		15 809	11 820	9 397	7 850	6 655	5 606	4 679	3 810	2 834	
Gross money income per household (NIS)	22 228	13 367	10 547	8 578	7 237	6 127	5 161	4 234	3 340	2 050	5 320
Net money income per household (NIS)	14 364	10 076	8 267	7 080	6 136	5 300	4 567	3 829	3 100	1 947	6 468
Average persons per household	4.2	4.1	4.4	4.1	4.0	4.1	3.9	3.9	3.4	2.6	3.9
Average standard persons per household	3.3	3.2	3.4	3.2	3.2	3.2	3.1	3.1	2.8	2.3	3.1
Average age of household head	45.9	44.0	42.5	40.8	40.8	39.5	38.7	37.6	37.6	36.5	40.4
TOTAL (per cents)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Years of schooling											
Up to 8	(1.4)	(5.4)	8.9	9.1	10.7	13.4	16.2	17.0	19.2	23.6	12.5
9 - 12	21.5	34.5	45.7	44.6	47.9	49.5	49.9	47.7	50.9	43.2	43.5
13 +	77.1	60.1	45.3	46.3	41.4	37.2	34.0	35.3	29.9	33.1	44.0
Age											
Up to 34	12.3	20.0	24.2	33.2	34.8	38.0	40.3	46.0	49.3	56.2	35.4
35 - 54	69.4	61.2	63.0	53.7	50.7	50.6	46.6	43.3	37.8	30.4	50.7
55 - 64	16.3	16.3	11.3	11.5	11.7	9.6	10.9	8.8	9.7	8.4	11.4
65 +	(2.0)	(2.6)	(1.5)	(1.5)	(2.9)	(1.8)	(2.2)	(1.9)	3.2	5.0	2.5
Jews - total	97.5	95.1	93.7	91.7	90.5	88.8	81.1	80.8	80.6	81.2	88.1
Continent of birth											
Asia - Africa	11.7	16.6	19.3	19.8	18.0	16.4	12.6	12.9	17.6	17.4	16.2
Europe - America	28.2	28.9	24.4	28.4	29.4	31.2	31.5	27.8	27.0	31.0	28.8
Israel	57.4	49.7	50.0	43.1	42.6	41.0	36.6	39.6	35.1	32.3	42.7
Arabs and others	(2.5)	(4.9)	(6.3)	8.3	9.5	11.2	18.9	19.2	19.4	18.8	11.9

URBAN HOUSEHOLDS HEADED BY EMPLOYEES BY DECILES OF NET MONTHLY MONEY INCOME PER STANDARD PERSON AND BY CHARACTERISTICS OF HOUSEHOLD HEAD

1995

	Deciles of income										Total
	Upper	9	8	7	6	5	4	3	2	Lower	
Upper limit (NIS)		3 887	3 154	2 608	2 246	1 947	1 680	1 441	1 182	912	
Gross money income per household (NIS)	19 279	13 005	10 734	8 773	7 470	6 480	5 706	4 880	4 082	2 769	8 320
Net money income per household (NIS)	12 599	9 487.0	8 242.0	7 018.0	6 205.0	5 527.0	4 952.0	4 330.0	3 690.0	2 623.0	6 468.0
Average persons per household	2.8	3.2	3.5	3.6	3.7	3.8	4.0	4.3	4.7	5.0	3.9
Average standard persons per household	2.4	2.7	2.9	2.9	3.0	3.1	3.2	3.3	3.5	3.7	3.1
Average age of household head	46.0	44.2	42.0	41.7	40.1	40.6	38.5	37.9	37.5	35.6	40.4
TOTAL (per cents)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Years of schooling											
Up to 8	(1.5)	(3.7)	5.5	9.4	8.8	13.6	11.6	16.4	24.0	30.5	12.5
9 - 12	19.4	33.2	42.7	48.5	46.1	44.5	50.1	49.8	52.6	48.4	43.5
13 +	79.1	63.1	51.8	42.1	45.0	42.0	38.3	33.8	23.4	21.2	44.0
Age											
Up to 34	24.1	26.5	27.9	31.1	36.8	33.5	38.3	41.8	43.1	51.2	35.4
35 - 54	47.4	52.0	56.0	53.0	50.0	53.8	52.9	49.0	48.9	43.6	50.7
55 - 64	23.0	17.1	13.5	13.0	11.9	10.4	7.2	7.4	6.4	4.5	11.4
65 +	5.5	4.4	(2.6)	(2.9)	(1.3)	(2.3)	(1.6)	(1.8)	(1.5)		2.5
Jews - total	98.4	98.7	97.3	95.0	92.6	92.8	86.4	82.1	73.5	64.2	88.1
Continent of birth											
Asia - Africa	9.8	13.8	15.1	20.2	15.6	20.2	14.4	14.6	19.2	19.2	16.2
Europe - America	31.4	33.9	26.8	28.3	28.5	35.5	31.9	31.3	23.1	17.1	28.8
Israel	57.0	51.1	54.9	46.5	48.3	36.6	39.0	36.0	30.1	27.6	42.7
Arabs and others			(2.7)	(5.0)	(7.3)	(7.2)	13.6	17.9	26.5	35.8	11.9

HOUSEHOLDS, BY HOUSING DENSITY, RELIGION, CONTINENT OF BIRTH, PERIOD OF IMMIGRATION, AND TYPE OF LOCALITY OF RESIDENCE OF HOUSEHOLD HEAD

1996

	Average density	Persons per room								Total	
		3.00 +	2.50 - 2.99	2.01 - 2.49	2.00	1.50 - 1.99	1.01 - 1.49	1.00	-1.00	%	000
JEWS	0.97	0.8	0.8	0.8	3.9	9.4	16.9	22.2	45.3	100.0	1 340.0
Continent of birth and period of immigration											
Israel	1.03	1.1	1.1	0.8	4.6	10.6	19.7	23.7	38.4	100.0	564.8
Father born:											
Israel	0.99	(1.7)	(1.5)	(0.6)	3.9	7.5	14.8	26.3	43.8	100.0	104.2
Asia - Africa	1.15	1.3	1.4	1.1	6.8	15.5	24.0	23.2	26.8	100.0	261.0
Europe - America	0.91	(0.7)	(0.5)	(0.7)	2.0	5.5	16.5	23.1	50.9	100.0	197.2
Asia - Africa	0.99	0.9	(0.6)	1.3	4.3	11.0	17.3	18.2	46.5	100.0	281.4
Up to 1960	0.93	(0.7)	(0.2)	(1.0)	3.2	8.8	15.4	18.0	52.6	100.0	179.0
1961 - 1964	1.12	(1.0)	(1.5)	(1.3)	6.0	15.3	23.1	18.6	33.2	100.0	41.4
1965 +	1.11	(1.5)	(0.9)	(2.3)	6.1	14.3	19.1	18.6	37.2	100.0	57.7
Thereof: Asia	0.94	(0.4)	(0.3)	(0.9)	4.0	9.3	16.0	17.8	51.2	100.0	130.3
Up to 1960	0.91	(0.5)	0.4	(0.9)	3.5	8.3	14.5	17.8	54.2	100.0	99.2
1961 - 1964	1.08	-	-	-	(7.8)	(15.0)	(24.4)	(13.5)	38.1	100.0	6.7
1965 +	1.01	(0.1)	-	(1.0)	(5.0)	11.6	20.2	19.8	42.0	100.0	22.9
Europe - America	0.88	(0.3)	0.6	(0.4)	3.0	6.9	13.3	22.7	52.8	100.0	486.0
Up to 1960	0.65	(0.1)	(0.3)	(0.1)	(0.5)	2.5	4.7	13.5	78.4	100.0	159.6
1961 - 1964	0.83	-	(0.4)	(0.3)	(0.9)	(4.5)	11.8	20.3	61.8	100.0	23.8
1965 - 1974	0.87	(0.2)	(0.7)	(0.5)	(2.3)	5.4	15.4	19.6	55.9	100.0	56.9
1975 - 1979	0.94	(0.3)	(1.0)	(1.1)	(2.3)	(7.5)	14.6	23.2	50.0	100.0	25.8
1980 - 1989	0.93	(0.8)	(0.8)	(0.9)	(2.4)	7.2	16.9	19.2	51.9	100.0	28.9
1990 - 1991	1.07	(0.3)	(0.7)	(0.6)	4.4	10.5	21.4	33.6	28.5	100.0	100.3
1992 +	1.08	(0.4)	(1.0)	(0.6)	7.1	12.4	17.3	30.6	30.7	100.0	87.2
Type of locality of residence (size of locality)											
Urban localities	0.97	0.8	0.8	0.7	4.0	9.3	16.8	22.3	45.3	100.0	1 254.7
Jerusalem	1.06	2.5	1.7	(1.3)	5.3	11.3	16.2	19.4	42.2	100.0	119.1
Tel Aviv - Yafo	0.87	(0.4)	(0.7)	(0.6)	4.2	6.6	10.7	22.5	54.4	100.0	139.7
Haifa	0.84	(0.4)	(0.5)	(0.2)	(1.9)	5.6	11.1	22.8	57.6	100.0	82.6
100 000 - 199 999	1.01	0.9	1	1.1	4.2	10.2	18.6	21.2	42.7	100.0	368.9
50 000 - 99 999	0.97	(0.3)	(0.5)	(0.7)	3.0	9.6	19.5	21.9	44.4	100.0	141.9
20 000 - 49 999	0.96	(0.5)	(0.4)	(0.5)	3.6	8.7	16.8	24.9	44.7	100.0	255.8
10 000 - 19 999	1.00	(0.5)	(0.5)	(0.7)	4.7	11.6	18.7	23.1	40.3	100.0	85.8
2 000 - 9 999	0.99	(0.6)	(1.0)	(0.7)	4.7	10.1	19.2	22.0	41.8	100.0	60.9
Thereof: Development localities	1.03	(0.5)	(0.6)	(0.8)	4.4	11.4	18.8	24.5	39.1	100.0	157.6
North	1.00	(0.5)	(0.6)	(0.5)	3.9	10.1	17.9	25.1	41.4	100.0	83.3
South	1.05	(0.6)	(0.5)	(1.1)	5.1	12.9	19.7	23.8	36.4	100.0	74.4
Rural localities	0.98	(0.6)	(1.1)	(0.8)	3.3	9.7	18.4	20.6	45.5	100.0	85.3
Moshavim	0.93	(0.3)	(1.0)	(0.5)	(2.8)	8.1	17.2	20.9	49.1	100.0	44.1
Villages	1.02	(1.0)	(1.1)	(1.2)	(3.8)	11.3	19.7	20.3	41.6	100.0	41.2
ARABS AND OTHERS	1.52	9.1	7.1	6.3	14.0	19.7	16.2	14.2	13.4	100.0	200.8
Moslems	1.74	11.3	8.2	8.0	15.6	21.3	15.1	10.3	10.3	100.0	141.6
Christians	1.27	(2.9)	(4.0)	(2.2)	10.4	19.2	18.3	22.7	23.4	100.0	37.2
Druze & others	1.37	(5.7)	(5.5)	(0.7)	9.9	15.9	19.8	24.7	16.9	100.0	22.1
Type of locality of residence (size of locality)										100.0	
Urban localities	1.62	9.2	7.1	6.1	14.0	19.4	16.0	14.4	13.8	100.0	189.6
Jerusalem	2.13	27.5	14.3	6.7	14.3	11.3	(5.7)	12.2	8.1	100.0	30.5
10 000 +	1.45	4.8	4.3	4.5	12.1	21.9	17.3	17.7	16.8	100.0	84.9
2 000 - 9 999	4.62	6.7	7.5	7.7	16.0	19.9	18.1	11.6	12.6	100.0	74.2
Rural localities	1.68	(8.6)	(7.0)	(8.2)	14.1	25.2	19.3	(10.0)	(7.7)	100.0	11.3

HOUSEHOLDS, BY POPULATION GROUP, HOUSING DENSITY AND CONTINENT OF BIRTH OF HOUSEHOLD HEAD, AND CHILDREN IN HOUSEHOLD

1996

Population group persons per room and continent of birth	Average children per household		Children in household					Thereof: households with children aged up to 17 - total		All households
	Households with children aged up to 17	All household	6 +	4 - 5	3	2	1			
			Per cents						Thousands	
JEWS - GRAND TOTAL (1)	2.21	1.08	2.6	10.1	19.6	33.4	34.3	100.0	658.0	1 339.7
Up to 0.99	1.54	0.30	-	(0.9)	10.0	30.8	58.3	100.0	119.5	606.6
1.00 - 1.99	2.16	1.55	0.9	9.5	22.4	35.8	31.6	100.0	464.1	647.7
2.00 - 2.99	3.37	2.94	13.7	28.5	18.2	25.7	13.9	100.0	64.6	74.1
3.00 +	5.17	4.87	42.7	28.7	(11.6)	(8.5)	(8.4)	100.0	9.6	10.2
Israel - total	2.35	1.47	3.0	11.1	23.1	35.1	27.7	100.0	352.6	564.7
Up to 0.99	1.62	0.52	-	(1.1)	11.8	35.3	51.7	100.0	69.3	216.8
1.00 - 1.99	2.31	1.85	1.0	10.4	27.2	37.2	24.1	100.0	244.0	304.3
2.00 - 2.99	3.63	3.26	15.0	34.3	18.4	24.5	7.8	100.0	33.1	36.8
3.00 +	5.62	5.39	49.7	(28.1)	(12.5)	(5.7)	(3.9)	100.0	6.1	6.4
Asia - Africa - total	2.32	1.03	3.2	12.8	21.2	29.8	33.0	100.0	125.2	281.4
Up to 0.99	1.50	0.20	-	(0.5)	(10.3)	28.2	61.0	100.0	17.7	130.7
1.00 - 1.99	2.25	1.54	(1.3)	12.2	23.7	31.7	31.2	100.0	89.7	130.7
2.00 - 2.99	3.39	3.04	14.5	28.0	22.0	21.8	13.8	100.0	15.5	17.3
3.00 +	4.36	3.94	(26.8)	(31.4)	(5.4)	(21.1)	(15.4)	100.0	2.2	2.5
Europe - America - total	1.84	0.67	1.4	6.1	11.5	32.5	48.5	100.0	176.4	485.8
Up to 0.99	1.37	0.17	-	(0.8)	(5.9)	22.7	70.7	100.0	32.2	256.0
1.00 - 1.99	1.82	1.11	(0.4)	6.0	12.5	35.3	45.8	100.0	127.4	208.4
2.00 - 2.99	2.81	2.23	(10.2)	16.4	13.7	32.6	27.1	100.0	15.5	19.6
3.00 +	(4.31)	(4.02)							(1.2)	(1.3)
ARABS AND OTHERS - GRAND TOTAL	3.06	2.25	8.8	26.9	19.8	25.3	19.3	100.0	148.2	201.2
Up to 0.99	1.45	0.40	-	(3.3)	(5.1)	(23.6)	67.9	100.0	7.4	26.9
1.00 - 1.99	2.45	1.82	(1.0)	16.9	25.9	32.5	23.7	100.0	74.8	100.8
2.00 - 2.99	3.64	3.20	12.8	42.4	15.5	19.5	10.0	100.0	48.3	54.9
3.00 - 3.99	4.80	4.53	34.4	39.6	(10.9)	(9.3)	(5.7)	100.0	12.4	13.2
4.00 +	4.47	4.45	(32.8)	(29.9)	(13.7)	(19.1)	(4.4)	100.0	5.3	5.3

Incl. Continent of birth not known.

HOUSEHOLDS, BY HOUSING DENSITY, SIZE OF HOUSEHOLD AND POPULATION GROUP

1996

Persons per room	Persons in household									
	Average per household	7 +	6	5	4	3	2	1	Total %	000
JEWS - TOTAL	3.32	4.3	6.8	14.6	18.4	15.5	22.9	17.5	100.0	1 340.0
Up to 0.49	1.16	-	-	-	(0.2)	(1.1)	13.1	85.5	100.0	145.7
0.5	1.51	-	-	-	(0.4)	3.5	42.5	53.6	100.0	114.9
0.51 - 0.99	2.70	(0.1)	1.1	5.9	14.8	23.0	49.3	5.8	100.0	346.2
1.00	3.25	(0.4)	2.5	13.5	25.9	30.1	18.5	9.1	100.0	296.7
1.01 - 1.49	4.59	5.1	8.7	35.9	42.3	5.1	3.0	-	100.0	225.9
1.50 - 1.99	5.27	13.8	29.0	35.6	7.3	14.4	-	-	100.0	125.2
2.00	5.14	15.0	37.8	9.0	21.1	5.4	10.3	(1.4)	100.0	52.5
2.01 - 2.49	7.58	81.7	(18.4)	-	-	-	-	-	100.0	10.6
2.50 - 2.99	6.88	48.7	-	37.3	(14.0)	-	-	-	100.0	11.0
3.00 +	7.87	59.8	20.6	(6.9)	(1.7)	(10.1)	(0.8)	-	100.0	10.2
ARABS AND OTHERS - TOTAL	5.06	24.3	15.7	16.8	16.6	11.2	10.0	5.4	100.0	200.8
Up to 0.99	2.21	(0.2)	(1.4)	(2.1)	(6.9)	21.1	41.3	27.0	100.0	26.9
1.00	3.00	-	(0.8)	7.2	28.2	30.3	22.4	11.2	100.0	28.5
1.01 - 1.49	4.56	7.8	(6.2)	31.2	45.2	(5.8)	(3.8)	-	100.0	32.5
1.50 - 1.99	5.39	16.8	29.4	33.6	6.0	14.3	-	-	100.0	39.6
2.00	5.62	20.5	45.1	8.4	18.9	(1.0)	(4.6)	(1.6)	100.0	28.1
2.01 - 2.49	7.39	91.2	(8.8)	-	-	-	-	-	100.0	12.5
2.50 - 2.99	7.36	65.5	-	32.3	(2.3)	-	-	-	100.0	14.3
3.00 +	8.39	71.2	18.9	(3.8)	(4.5)	(1.6)	-	-	100.0	18.4
Average no. of persons per room										
Jews		1.87	1.44	1.22	1.06	0.89	0.65	0.41		0.97
Arabs and others		2.41	1.77	1.55	1.28	1.02	0.76	0.53		1.62

HOUSEHOLDS, BY POPULATION GROUP, SIZE OF HOUSEHOLD AND ROOMS IN DWELLING

1996

Rooms in dwelling	Persons in household							Total
	7 +	6	5	4	3	2	1	
JEWS TOTAL - thousands	58.2	91	195.9	246.5	208.2	306.3	233.9	1 340.0
- per cents	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
1	-		(0.1)	(0.1)	(0.5)	1.8	11.8	2.6
1.5	(0.2)	(0.4)	(0.3)	(0.6)	1.4	2.2	8.6	2.4
2	(2.5)	(1.8)	2.1	4.5	8.7	18.0	26.4	11.4
2.5	2.1	(2.1)	2.4	3.7	5.5	9.5	10.6	6.1
3	17.1	21.8	22.8	32.4	43.0	41.2	31.2	33.1
3.5	5.6	5.1	7.1	6.4	6.6	5.1	2.5	5.4
4	35.3	34.7	31.5	31.2	23.0	16.0	7.3	22.7
4.5+	37.2	33.9	33.8	21.2	11.3	6.3	1.6	16.2
Average rooms per person	0.53	0.70	0.82	0.94	1.13	1.53	2.45	1.03
ARABS AND OTHERS								
TOTAL - thousands	48.9	31.5	33.7	33.4	22.4	20.0	10.9	200.8
- per cents	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
1	(1.1)	(0.4)	(1.8)	(2.5)	(1.3)	(6.4)	33.2	3.6
2	7.8	10.6	14.0	16.9	26.5	38.0	39.3	17.6
3	45.3	43.8	46.4	47.0	46.9	39.5	23.4	43.9
3.5+	45.8	45.2	37.9	33.7	25.3	16.1	(4.0)	34.8
Average rooms per person	0.42	0.57	0.65	0.78	0.98	1.31	1.88	0.62

(ii) Poverty

410. Poverty data in Israel have been systematically collected and published since the early 1970s by the National Insurance Institute (NII). The annual report on poverty submitted to the Government receives wide coverage by the media, raising the major issues on the public agenda as well as helping the Government reassess its policy to reduce poverty.

411. The definition of poverty adopted by the NII is a relative one, by which a family is considered poor when its standard of living falls considerably below the average. Although a family's standard of living is a multidimensional concept, expressed through various aspects (income, housing, health, education, etc.) the poverty measure is based on income data only, which are available on an ongoing basis. The poverty line in Israel is defined as 50 per cent of the net median income, adjusted to family size.

412. According to the NII 1993 report, 16 per cent of all families have net incomes below the poverty lines, with the average net income of a poor family being 75 per cent of the poverty line. Transfer payments, especially NII benefits, play a crucial role in reducing poverty and income disparities. In the absence of transfer payments (mainly NII benefits), 34 per cent of all families would be classified as poor, implying that transfers have reduced the poverty incidence by more than one half. Although transfer payments, mainly to low-income groups, contribute significantly to the reduction of poverty among the elderly, the non-employed and large families, poverty is still more frequent among these groups: almost one fifth of the elderly, one third of the large families and one half of the non-employed are poor. Poverty is also relatively high among non-Jewish families - more than one third are poor.

413. These data should be read in conjunction with the following tables, presenting the resources and their use, including GNP, GDP, per capita GNP and GDP, private consumption expenditure over the years as well as GNP by deciles.

414. One of the factors contributing to the extent of poverty in Israel is the wide variation in family size. A significant percentage of the Israeli population has four or more children and a large percentage of these children grow up in these families. This means that with a given inequality in the wage structure, more poverty and inequality are generated because of the differences in family size. Family size differences are highly correlated with ethnic background. Large families are much more widespread in the Arab population and among certain sub-groups within the Jewish population. This serves to exacerbate inequalities among ethnic groups and the relative concentration of poverty within these groups.

415. Poverty among children and women is of special concern to policy makers: 20 per cent of all children in Israel live in families whose income is below the poverty line. Poverty among families headed by women is more frequent than among families headed by men. Almost one third of the families with children headed by women are poor, compared with 15 per cent of families with children headed by men.

RESOURCES AND USES OF RESOURCES

	Gross national product	Less: net factor payments paid abroad	Gross domestic product	Per capita		Gross domestic product of the business sector	Less:		Gross domestic product	Less: Imports of goods and services	Uses of resources				
				Gross domestic product	Private consumption expenditure		Ownership of dwellings	Services of general government and non-profit institutions			Exports of goods and services	Gross domestic capital formation	Private government consumption expenditure	General government consumption expenditure	Total
	At current price			At constant prices											
	NIS thousand			NIS		NIS million									
1950	44	3	47	10 109	5 538	7 062	1 626	5 666	12 806	4 698	562	5 710	7 016	5 304	17 418
1951	67	4	71	11 151	5 745	9 275	1 940	7 298	16 663	5 018	783	6 748	8 585	6 433	21 172
1952	97	11	108	10 831	5 738	9 674	2 306	7 275	17 397	4 616	1 025	5 802	9 216	6 336	21 256
1953	119	17	136	10 389	5 776	9 349	1 580	7 422	17 145	4 712	1 260	4 854	9 532	6 653	21 169
1954	163	16	179	12 116	6 485	11 268	1 842	8 804	20 471	5 188	1 793	5 417	10 956	7 754	24 679
1955	201	15	216	13 291	6 737	12 676	3 179	10 543	23 265	5 582	1 843	6 670	11 792	9 012	27 619
1956	244	13	257	13 859	7 081	13 915	3 553	10 971	25 340	6 500	2 099	6 305	12 947	12 275	30 655
1957	280	19	299	14 286	7 166	15 273	3 865	11 477	27 580	6 445	2 512	7 387	13 834	10 730	32 508
1958	323	24	347	14 799	7 621	16 494	4 179	11 908	29 600	7 234	2 797	7 933	15 242	11 183	35 320
1959	371	26	397	16 185	8 108	18 858	4 588	12 648	33 374	7 751	3 686	8 668	16 719	11 796	39 271
1960	420	26	446	16 806	8 471	20 203	5 016	13 016	35 578	8 924	4 654	9 098	17 932	12 515	42 720
1961	484	54	538	18 017	9 089	22 637	5 375	14 074	39 455	11 021	5 399	10 834	19 904	14 533	48 831
1962	556	84	640	18 965	9 619	25 149	5 750	15 025	43 395	12 673	6 342	11 957	22 010	16 034	54 420
1963	727	39	766	20 157	10 178	27 977	6 193	16 363	47 968	13 545	7 286	12 355	24 221	17 817	59 555
1964	839	50	889	21 283	10 841	30 987	6 693	17 509	52 728	15 417	7 728	14 978	26 858	18 468	66 148
1964	761	117	878	21 013	10 578	30 792	6 445	16 985	52 059	14 951	7 563	14 978	26 207	18 052	64 959
1965	903	149	1 052	22 226	11 116	33 657	6 894	18 908	56 957	15 248	8 200	15 068	28 486	20 112	69 635
1966	998	158	1 156	21 880	11 058	33 470	7 391	19 905	57 527	15 160	9 065	12 624	29 074	22 029	70 020
1967	1 030	175	1 205	21 675	10 928	33 569	7 807	21 861	58 853	16 606	9 818	9 782	29 671	29 420	73 053
1968	1 393	24	1 417	24 194	12 006	39 879	8 567	22 693	67 900	21 561	12 540	14 566	33 694	31 983	87 390
1969	1 607	28	1 635	26 536	12 854	45 756	9 064	24 540	76 536	24 827	13 409	18 433	37 074	37 045	99 166
1970	1 877	35	1 912	27 708	12 761	49 167	9 809	26 571	82 403	29 242	14 712	20 903	37 950	46 124	109 939
1971	2 356	43	2 399	29 872	13 030	55 513	10 740	28 003	91 687	32 356	18 187	25 603	39 992	47 315	122 099
1972	3 033	57	3 090	32 755	14 007	63 332	11 857	29 411	102 907	32 749	20 649	28 718	44 005	46 961	132 537
1973	3 034	111	3 945	33 212	14 681	64 338	13 099	34 597	107 916	44 270	21 779	30 306	47 702	66 036	151 523
1974	5 463	157	5 620	33 836	15 255	67 880	14 217	36 036	113 870	44 573	22 995	29 182	51 338	67 977	157 181
1975	7 895	271	8 166	34 277	14 882	70 067	15 396	34 537	118 231	46 448	23 400	30 596	51 331	74 877	163 412
1976	10 291	323	10 614	34 071	15 278	70 045	16 736	39 008	120 098	45 150	26 840	26 927	53 853	68 926	163 251
1977	15 223	332	15 555	34 010	15 706	70 874	17 818	40 019	122 529	43 780	29 983	24 974	56 583	61 101	163 472

RESOURCES AND USES OF RESOURCES (continued)

	Gross national product	Less: net factor payments paid abroad	Gross domestic product	Per capita		Gross domestic product of the business sector	Less:		Gross domestic product	Less: Imports of goods and services	Uses of resources				
				Gross domestic product	Private consumption expenditure		Ownership of dwellings	Services of general government and non-profit institutions			Exports of goods and services	Gross domestic capital formation	Private government consumption expenditure	General government consumption expenditure	Total
	At current price			At constant prices											
	NIS thousand			NIS		NIS million									
1978	24 531	636	25 167	34 665	16 684	73 633	18 699	41 780	127 562	48 430	31 361	25 622	61 395	65 842	174 037
1979	45 940	1 562	47 502	35 423	17 502	77 200	19 543	43 433	133 588	49 764	32 304	28 839	66 306	61 402	180 971
1980	107 245	3 802	111 047	35 841	16 547	80 592	20 337	43 595	138 343	46 676	34 819	25 037	63 870	66 108	180 852
1981	256 073	6 350	262 423	36 877	18 381	85 467	21 112	43 976	144 844	51 438	36 645	23 962	72 196	70 381	193 068
1982	579 212	17 780	596 992	36 706	19 510	85 968	21 888	45 397	146 889	53 277	35 370	27 646	78 106	65 809	197 405
	NIS million														
1983	1 496	46	1 542	36 957	20 832	88 565	22 521	45 810	150 644	56 898	35 957	30 755	84 916	62 787	205 722
1984	7 286	326	7 612	37 013	19 017	90 709	23 168	46 324	153 940	56 296	40 839	28 565	79 094	66 453	207 549
1985	27 331	1 119	28 450	37 983	18 925	96 288	23 742	46 117	160 781	55 770	44 929	25 049	80 110	68 875	212 390
1986	42 423	1 561	43 984	38 733	21 448	101 346	24 161	45 324	166 503	60 915	47 425	26 897	92 198	62 176	224 522
1987	54 774	1 804	56 578	40 487	22 990	109 787	24 610	45 631	176 881	72 465	52 274	28 184	100 440	73 426	248 337
1988	68 474	1 779	70 253	41 216	23 634	113 739	25 134	47 347	183 065	70 338	51 510	28 712	104 973	71 520	251 116
1989	83 333	2 204	85 537	41 066	23 320	115 115	25 709	48 047	185 547	66 889	53 566	28 128	105 364	65 408	248 944
1990	103 310	2 496	105 806	42 192	23 865	123 764	26 348	48 820	196 622	72 963	54 624	34 944	111 217	69 746	266 440
1991	132 198	2 490	134 688	41 895	24 100	131 566	27 049	50 771	207 341	84 261	53 214	48 645	119 274	72 762	289 334
1992	157 568	3 202	160 770	43 130	25 084	142 568	28 449	51 333	220 979	91 725	60 501	51 870	128 519	72 918	310 563
1993	181 978	2 940	184 918	43 432	26 230	147 428	29 720	52 795	228 511	104 706	66 835	54 110	138 007	76 216	332 414
1994	219 872	3 313	223 185	45 184	27 908	159 057	30 689	55 135	243 962	116 142	75 278	58 788	150 683	76 319	359 870
1995	255 901	5 272	261 473	47 098	29 184	173 029	31 612	56 529	261 170	126 075	82 918	64 802	161 832	77 693	387 245
1996	296 956	6 856	303 812	47 949	29 927	182 089	32 761	57 964	272 813	135 718	87 079	69 206	170 276	81 971	408 531
				At current prices											
1996	296 956	6 856	303 812	53 397	33 012	200 549	38 006	65 257	303 812	141 634	93 660	73 181	187 831	90 774	445 446

PRIVATE CONSUMPTION EXPENDITURE, BY OBJECT AND TYPE

NIS million

	1996	1996	1995	1994	1993	1992	1991	1990	1989	1988	1987	1986	1985	1984	1983
	At current prices	At 1995 prices (1)													
1. NATIONAL PRIVATE CONSUMPTION EXPENDITURE - GRAND TOTAL (2 + 6)	187 831	170 276	161 832	150 683	138 007	128 619	119 274	111 217	105 364	104 973	100 440	92 198	80 110	79 094	84 916
2. CONSUMPTION EXPENDITURE BY ISRAELI HOUSEHOLDS (3 - 4 + 5)	183 469	166 349	157 967	146 979	134 572	125 285	116 147	108 308	102 530	10 228	97 565	89 454	77 700	76 833	82 625
Consumption of Israeli abroad	8 995	8 967	8 253	7 520	6 119	5 367	5 347	5 133	5 268	4 595	4 310	4 025	3 437	4 702	5 034
Consumption of non-residents in Israel	9 709	8 803	9 151	7 873	7 223	6 690	4 487	5 232	5 567	5 044	5 709	4 842	6 142	5 688	5 137
Consumption expenditure of households in the domestic market - total	184 182	166 185	158 865	147 286	135 573	126 484	115 111	108 309	102 829	102 579	98 959	90 229	80 369	77 916	82 828
By object															
Beverages and tobacco	40 983	37 131	35 414	33 245	30 611	28 464	27 350	25 940	24 729	24 412	23 220	21 493	20 408	19 822	19 789
Clothing, footwear and personal effects	11 064	10 385	10 302	9 463	8 218	6 906	6 036	5 585	5 173	5 408	5 655	4 595	3 794	3 303	3 861
Housing	42 437	36 753	35 457	34 421	33 334	31 904	30 321	29 515	28 796	28 154	27 567	26 979	26 285	25 447	24 553
Electricity and fuel - home consumption (1)	3 958	3 575	3 340	3 141	2 968	2 824	2 304	2 173	2 116	1 954	1 765	1 634	1 539	1 529	1 642
Furnishings and household equipment	13 711	12 750	12 072	10 057	9 055	8 154	7 294	6 635	5 772	5 827	5 744	5 290	3 473	3 183	4 431
Household maintenance	5 347	4 868	4 554	4 269	4 160	3 776	3 611	3 551	3 363	3 432	3 286	3 034	2 917	2 804	2 798
Personal care and health	11 627	10 668	10 033	9 402	8 453	7 634	6 952	6 657	6 285	5 779	5 512	4 935	4 442	4 412	4 472
Transport and communication	25 340	23 227	21 570	19 614	17 714	17 507	14 108	12 268	1 151	12 622	11 368	9 832	8 460	9 094	10 372
Relaxation and entertainment	16 179	14 680	14 440	13 081	11 684	10 913	9 315	9 207	9 281	9 210	9 407	8 415	7 697	6 819	6 991
Goods and services	13 534	12 147	11 684	11 104	10 438	9 891	9 509	8 552	8 056	7 964	7 176	6 780	6 284	6 606	7 017

PRIVATE CONSUMPTION EXPENDITURE, BY OBJECT AND TYPE (continued)

	1996	1996	1995	1994	1993	1992	1991	1990	1989	1988	1987	1986	1985	1984	1983
	At current prices	At 1995 prices (1)													
By expense															
... goods - total	21 223	20 092	19 048	16 427	14 790	14 716	11 811	9 800	8 367	9 659	8 911	7 869	5 162	5 163	7 575
Furniture	5 166	4 712	4 410	4 025	3 526	3 104	2 899	2 578	2 548	2 395	2 362	2 215	1 747	1 655	1 878
Household equipment	8 545	8 038	7 662	6 054	5 541	5 057	4 409	4 066	3 252	3 449	3 398	3 092	1 842	1 654	2 576
Personal transport equipment	7 512	7 342	6 976	6 414	5 776	8 709	4 542	3 112	2 523	3 953	3 189	2 546	1 663	2 265	3 818
... goods - total	69 856	63 300	60 708	56 568	51 677	46 942	43 421	41 019	39 074	38 576	37 335	33 335	30 374	28 980	29 763
Beverages and tobacco	40 983	37 131	1	33 245	30 611	28 464	27 350	25 940	24 729	24 412	23 220	21 493	20 408	19 822	19 789
Fuel and electricity	7 747	6 467	6 115	5 746	5 380	5 101	4 320	3 969	3 965	3 725	3 437	3 093	2 752	2 668	2 660
Clothing, footwear and personal effects	11 064	10 385	10 302	9 463	8 218	6 906	6 036	5 585	5 173	5 408	5 655	4 595	3 794	3 303	3 861
... household goods	1 747	1 638	1 498	1 446	1 590	1 302	1 224	1 220	1 090	1 140	1 009	866	873	825	830
Beauty care and medical products	5 335	4 945	4 647	4 363	3 703	3 191	2 756	2 626	2 466	2 134	2 077	1 758	1 518	1 557	1 573
Books, newspapers and stationery	1 739	1 550	1 450	1 289	1 310	1 187	1 069	1 069	1 131	1 066	1 211	1 016	919	797	866
...goods and miscellaneous	1 241	1 184	1 282	1 040	943	924	820	766	752	775	703	650	439	372	453
Housing	42 437	36 753	35 457	34 421	33 334	31 904	30 321	29 515	28 796	28 154	27 567	26 979	26 285	25 447	24 553
Other services	50 666	46 0	43 652	40 350	36 707	34 031	30 972	29 644	28 807	27 775	26 955	24 700	23 413	23 082	23 321
6. NON-PROFIT INSTITUTIONS (2) - TOTAL	4 362	3 927	3 865	3 719	3 454	3 258	3 166	2 944	2 893	2 779	2 990	2 885	2 541	2 354	2 347
Medical institutions	643	581	559	530	489	546	518	502	583	635	790	815	577	415	408
Education, culture and research , welfare and religious institutions	2 318	2 276	2 048	1 889	1 891	1 624	1 610	1 442	1 363	1 242	1 282	1 211	1 155	1 153	1 128
Unions, political organizations, etc.	1 401	1 070	1 258	1 308	1 071	1 078	1 029	992	968	967	1 014	966	998	1 036	1 077

(iii) Physical quality of life index

416. Israel still does not have a physical quality of life index. The Ministry of Labor and Social Affairs plans to create one, with the help of the National Council for Diminishing Social Gaps and War on Poverty (described below).

The right to adequate food

417. The right to adequate food is fully recognized by governmental and non-governmental organizations in Israel. Food provision for indigent people is part of the social assistance offered by the Ministry of Labor and Social Welfare, the National Insurance Institute, the municipalities and various voluntary organizations (e.g. ESHEL - The Association for Planning and Developing Services for the Aged in Israel). This right is implemented in two ways: indirectly, by securing a sufficient basic income, and directly, by either supplying food or food-related services.

Income Maintenance

418. Income for subsistence is provided by the various social security schemes under the National Insurance Law - described in this report under article 9 - supplemented by the Assurance of Income Law 1980.

419. The Income Maintenance Law, 1980 basically provides a "safety net": whoever lacks the defined minimal income, taking into account income from most social security branches, has the right to receive from the NII a monthly allowance up to the allowed minimum. It may be said that anyone in vital need is entitled under the law, except for a person capable of working who refuses to do so (i.e. refusal of a suitable occupation proposed via the Employment Service). The full text of the law is attached in annex A to this report.

420. The Assurance of Income Law does not apply to new immigrants, income maintenance for whom is provided by the Immigration and Absorption Ministry according to the Absorption Basket Law 1994 and the Ministry's detailed administrative directives.

421. The Welfare Services Law 1958 defines the State's duty, together with the municipalities, to provide assistance to residents in need. Regulations issued under this law define the term "in need" for this purpose to include all sorts of personal needs. As to the content of this duty, the law basically refers to the rules issued by the director general of the Ministry of Labor and Social Affairs. These rules cover all personal social services. Mention should be made here of the "special needs programme". Under this programme, social workers in local welfare services may grant assistance needed for provision of particular vital items like clothes, blankets, heaters and similar basic supplies. This discretionary power is used until reaching the limit of the budget set for this purpose.

Nutrition services

422. Special assistance is provided to those in need of special dietary food due to medical conditions (metabolic disorders, celiac disease, etc.). This assistance is provided by Department of Nutrition in the Ministry of Health in the form of subsidies.

423. Young children and babies are tracked by the Family Health Centers stationed in every neighbourhood throughout the country. Public health nurses, all trained in nutrition, run these centres. In each region and district there are Public Health Services Headquarters, where public health dietitians are part of the team. They are involved in almost all the nutritional aspects of the population, including senior citizens and the very old.

424. Special efforts are aimed at developing health promotion nutrition projects, tailored for the special needs of each community and in consideration of the local characteristics (culture, age, background, needs, etc.).

425. The Central Bureau of Statistics (CBS) has conducted several surveys concentrating on the living conditions in Israel. Some of these provide valuable information on nutrition or have implications for nutrition policy:

The Food Balance Sheet

CALORIES AND NUTRIENTS PER CAPITA PER DAY

	1996	1995	1990	1980	1970	1960	1950
Calories (Kcal)							
TOTAL	3,471	3,433	3,089	2,979	2,988	2,772	2,610
Cereals and cereal products	1,031	1,030	986	1048	1,067	1,157	1,260
Potatoes and starches	86	91	66	89	79	77	98
Sugar and honey	446	424	381	323	376	311	184
Chocolate, sweets and jam	131	119	101	90	84	68	82
Miscellaneous grains and nuts	207	198	152	114	96	85	62
Vegetables	124	122	103	69	77	67	65
Fruit and melons	195	212	169	150	164	147	105
Oils and fats	573	539	486	496	452	406	343
Meat	336	352	317	284	264	143	95
Eggs	60	63	72	77	89	73	61
Fish	25	27	18	12	16	18	58
Milk and dairy products	257	256	238	227	224	220	197
Protein (grams)							
TOTAL	105.0	106.2	97.4	92.2	91.5	85.1	83.9
Thereof: animal	52.5	54.1	49.9	45.4	44.3	34.0	32.2
Cereals and cereal products	32.9	32.9	31.7	34.1	34.6	39.7	41.4
Potatoes and starches	1.8	1.9	1.4	1.9	1.8	1.7	2.2
Chocolate, sweets and jam	0.6	0.5	0.5	0.4	0.3	0.1	0.2
Miscellaneous grains and nuts	8.9	8.6	6.8	5.0	4.5	4.0	3.2
Vegetables	5.7	5.4	5.1	3.5	3.7	3.5	2.9
Fruit and melons	2.6	2.8	2.0	1.9	2.3	2.1	1.8
Meat	27.1	28.5	25.6	22.5	20.8	11.8	7.4
Eggs	4.6	4.8	5.5	5.9	6.8	5.5	4.6
Fish	4.4	4.6	3.4	2.4	2.7	3.0	7.1
Milk and dairy products	16.4	16.2	15.4	14.6	14.0	13.7	13.1
Fat (grams)							
TOTAL	133.7	130.3	117.6	111.5	104.3	86.7	73.9
Thereof: animal	45.9	45.7	42.6	38.7	38.3	27.9	23.9
Cereals and cereal products	4.3	4.3	4.1	4.3	4.4	4.8	5.4
Potatoes and starches	0.1	0.1	0.1	0.1	0.1	0.1	0.1
Chocolate, sweets and jam	2.4	1.8	2.2	2.0	1.8	0.8	1.3
Miscellaneous grains and nuts	13.5	13.1	9.2	7.0	5.5	5.0	2.9
Vegetables	1.2	1.0	1.0	0.6	0.7	0.4	0.2
Fruit and melons	2.8	3.1	3.2	2.5	2.0	1.4	1.1
Oils and fats	65.0	31.2	55.3	56.3	51.5	46.3	39.0
Meat	24.3	25.3	22.9	20.7	19.3	10.3	6.9
Eggs	4.3	4.6	5.2	5.6	6.4	5.2	4.4
Fish	0.6	0.8	0.4	0.3	0.4	0.6	3.3
Milk and dairy products	15.2	15.0	14.0	12.1	12.2	11.8	9.3

VITAMINS AND MINERALS PER CAPITA PER DAY

Milligrams, unless otherwise stated

Commodity	Iron (Fe)	Calcium (Ca)	Ascorbic acid (Vit. C)	Niacin	Riboflavine	Thiamin (Vitamin B)	Vitamin A intm. units
				1950			
TOTAL	15.0	850	125	13.4	1.79	1.92	3,195
Cereals and cereal products	8.5	272	-	6.9	0.81	1.32	-
Potatoes and starches	0.7	9	10	1.6	0.04	0.10	-
Chocolate, sweets and jam	0.1	6	1	-	0.01	-	2
Miscellaneous grains and nuts	0.9	38	-	0.7	0.02	0.09	9
Vegetables	1.5	60	61	0.8	0.10	0.11	1,372
Fruit and melons	1.2	51	52	0.5	0.06	0.12	416
Oils and fats	-	-	-	-	-	-	584
Meat	0.7	4	-	1.8	0.07	0.03	51
Eggs	0.9	19	-	-	0.12	0.04	371
Fish	0.3	13	-	0.8	0.05	0.02	18
Milk and dairy products	0.2	378	2	0.3	0.51	0.09	372
				1970			
TOTAL	16.3	722	130	16.8	1.42	1.68	4,212
Cereals and cereal products	7.1	103	-	5.2	0.29	0.92	-
Potatoes and starches	0.6	7	8	1.2	0.03	0.08	-
Chocolate, sweets and jam	0.2	7	-	-	0.01	-	2
Miscellaneous grains and nuts	1.3	60	-	1.0	0.03	0.12	16
Vegetables	1.8	59	65	1.4	0.13	0.16	1,594
Fruit and melons	1.4	55	55	1.0	0.11	0.15	827
Oils and fats	-	-	-	-	-	-	483
Meat	2.0	13	-	6.2	0.15	0.10	249
Eggs	1.4	27	-	0.1	0.17	0.06	548
Fish	0.1	5	-	0.4	0.01	0.01	2
Milk and dairy products	0.4	386	2	0.3	0.49	0.08	491
				1990			
TOTAL	17.1	747	145	19.0	1.45	1.68	4,417
Cereals and cereal products	6.4	65	-	4.7	0.19	0.85	-
Potatoes and starches	0.5	6	6	1.0	0.02	0.06	-
Chocolate, sweets and jam	0.4	10	-	0.1	0.02	-	3
Miscellaneous grains and nuts	1.9	104	1	1.5	0.06	0.18	24
Vegetables	2.3	76	92	1.9	0.20	0.23	1,818
Fruit and melons	1.4	51	44	0.9	0.12	0.12	1,038
Oils and fats	-	-	-	-	-	-	162
Meat	2.6	17	-	8.1	0.18	0.12	399
Eggs	1.1	22	-	-	-	0.04	444
Fish	0.1	5	-	0.5	0.02	-	1
Milk and dairy products	0.4	391	2	0.3	0.51	0.08	528
				1996			
TOTAL	18.5	813	200	20.9	1.48	1.83	4,822
Cereals and cereal products	6.6	67	-	5.0	0.19	0.88	-
Potatoes and starches	0.6	7	8	1.3	0.03	0.08	-
Chocolate, sweets and jam	0.5	11	1	0.1	0.02	-	4
Miscellaneous grains and nuts	2.7	134	-	1.8	0.08	0.23	23
Vegetables	2.6	83	110	2.2	0.22	0.26	2,287
Fruit and melons	1.4	70	79	1.1	0.12	0.14	1015
Oils and fats	-	-	-	-	-	-	89
Meat	2.7	19	-	8.6	0.19	0.12	442
Eggs	0.9	18	-	-	0.11	0.04	368
Fish	0.1	7	-	0.6	0.02	0.01	1
Milk and dairy products	0.4	397	2	0.2	0.50	0.07	593

FOOD BALANCE SHEET, 1996

Commodity	Per capita supplies					Annual quantities, tons						
						Available supply						
	Fat grams per day	Protein grams per day	Calories (Kcal) per day	Food (net) Grams per day	Food (net) Kg. per year	Food (net)	Other supply and waste	Total	Imports	Exports	Change of stocks	Production
GRAND TOTAL	133.7	105.0	3,471									
CEREALS AND CEREAL PRODUCTS - TOTAL	4.3	32.9	1,031									
Wheat	4.0	30.8	922	263.6	96.2	548,400	387,100	935,500	854,600	125,800	-21,700	185,000
Rice, milled	0.2	1.8	99	27.4	10.0	56,900	-	56,900	87,800	339,000	-3,000	-
Other cereals	0.1	0.3	10	2.8	1.0	5,100	-	5,100	3,800	-	-	1,300
POTATOES AND STARCHES - TOTAL	0.1	1.8	86									
Potatoes and potatoes flour	0.1	1.8	75	102.7	37.5	213,700	46,400	26,100	12,700	95,000	400	342,800
Conflour	-	-	11	3.0	1.1	6,200	14,500	20,700	200	100	300	20,900
SUGAR AND HONEY - TOTAL	-	-	446									
Sugar	-	-	443	114.5	41.8	238,400	44,900	283,300	411,900	128,600	-	-
Honey	-	-	3	1.1	0.4	2,500	-	2,500	300	200	100	2,500
CHOCOLATE, SWEETS AND JAM	2.4	0.6	131	35.3	12.9	73,100	-	73,100	35,500	16,000	12,600	66,200
MISCELLANEOUS GRAINS AND NUTS - TOTAL	13.5	8.9	207									
Pulses, edible, dry	0.3	3.4	56	15.9	5.8	33,696	1,400	35,096	25,172	5,606	-9,000	6,530
Sesame, groundnuts and sunflower	8.9	4.3	106	24.2	8.8	50,140	510	50,650	42,600	25,200	-500	32,750
Nuts	4.3	1.2	45	7.4	2.7	15,300	-	15,300	13,500	1,300	-1,000	2,100
VEGETABLES	1.2	5.7	124	523.0	190.9	1,088,197	94,260	1,182,457	78,612	167,283	-	1,271,128
FRUIT AND MELONS - TOTAL	2.8	2.6	195									
Citrus fruit	0.2	1.0	57	205.2	74.9	426,924	4,401	431,325	18,635	520,050	-	932,740
Fresh fruit, excl. citrus	2.5	1.3	119	195.8	71.4	406,170	63,440	469,610	16,448	97,865	24,984	576,011
Watermelons and sugar melons	0.1	0.3	12	90.4	33.0	188,636	6,941	195,577	47	33,650	-	229,180
Dried fruit	-	-	7	2.9	1.1	6,113	-	6,113	4,163	11	-1,650	400
OILS AND FATS - TOTAL	65.0	0.0	573									
Vegetable oils, refined, edible	48.5	-	429	38.8	14.2	10,100	28,800	129,900	38,000	10,800	40,000	142,700
Margarine	15.0	-	130	18.1	6.6	37,400	800	38,200	4,100	600	-	34,700
Butter	1.5	-	14	1.9	0.7	4,200	3,000	7,200	100	300	-500	6,900
MEAT - TOTAL	24.3	27.1	336									
Beef, fresh and frozen, carcass weight	7.9	6.9	101	46.6	17.0	96,800	-	96,800	50,400	1,200	-3,600	44,000
Beef, Offal and other edible parts	0.5	1.0	9	6.3	2.3	13,300	-	13,300	1,900	-	-3,600	7,800
Sheep and goats, carcass weight	0.3	0.3	4	3.3	1.2	6,640	-	6,640	500	260	-	6,400
Other meat	1.9	0.5	20	5.2	1.9	11,000	-	11,000	-	-	-	11,000
Poultry (dressed, not drawn)	13.7	18.4	202	145.5	53.1	303,100	-	303,100	-	11,700	-	314,800
EGGS	4.3	4.6	60	41.4	15.1	85,900	-	85,900	-	1,300	3,000	90,200
FISH	0.6	4.4	25	35.3	12.9	72,750	-	72,750	46,500	100	-1,350	25,000
MILK AND DAIRY PRODUCTS - TOTAL	15.2	16.4	257									
Cow's milk	4.8	5.6	102	169.9	62.0	353,200	794,500	1,147,700	-	13,400	-	1,161,100
Sheep and goats' milk	0.5	0.5	7	9.1	3.3	18,800	12,400	31,200	-	-	-	31,200
Milk, dried	-	0.3	3	0.8	0.3	2,100	11,000	13,100	2,700	3,500	-1,100	12,800
Cheese	5.8	7.9	85	46.6	17.0	96,850	-	96,850	1,000	3,900	-1,050	98,700
Sour milk, etc.	4.1	2.1	60	58.6	21.4	122,800	-	122,800	100	12,700	-	135,400

426. Review of the food balance sheets collected annually from 1947-1996 reveals an increase in per capita consumption of calories from 2,610 to 3,471 kcal/day, an increase of 33 per cent. Interesting to note are a marked increase in the consumption of fat from 343 to 573 kcal/day, an increase of 67 per cent; the increase in the consumption of vegetables from 65 to 124 kcal/day, an increase of 90 per cent; the increase of consumption of fruits from 105 to 195 kcal/day, an increase of 85 per cent and the increase of consumption of meat from 95 to 336 kcal/day, an increase of 253 per cent.

427. The main data from the latest household expenditure survey were produced above. These surveys, collected every four or five years, have provided data needed for the establishment of nutrition policy: food subsidies and price control, nutrition education and promotion programmes, etc. Six special surveys were done in the past, and six more are ongoing. These surveys are either cross-sectional, small-scaled, or targeted to suspected vulnerable groups. Additionally, there is an ample number of surveys done by academia in different parts of the country, or in diverse sub-groups of the population. These surveys used different methodologies, conducted at different times, and provide non-generalizable information. Therefore, they cannot be directly compared, or lead to a sound national nutrition policy.

428. It is necessary to look beyond the overall per capita aggregate in order to determine how the nutritionally vulnerable groups fare. In order to overcome the lack of data regarding geographical areas, sub-populations etc., a first National Nutrition Survey (NNS) is planned. The NNS will furnish information on food and nutrition intakes, dietary practices, physical activity, smoking habits, anthropometric data, socio-economic status, health status, and nutrition knowledge and attitudes of a representative sample of 4,500 Israelis, aged 12 to 75. The project is the largest and most comprehensive food and nutrition survey of Israel's population ever undertaken. Preparations started in 1997 and data collection will take place continuously from April 1998 to May 1999. This survey will provide information regarding indigent populations and vulnerable groups, and a database for public health policy decisions.

429. On the basis of the available data only the following comments as to potential areas of concern can be made:

> While the unemployment rate is fluctuating, there is no available data to show its nutritional effect in all social groups.
>
> The Government is contemplating a reduction in monetary subsidies and price controls. Such reduction, if applied to basic food items, may jeopardize vulnerable populations in the future.

Methods of improvement of production, conservation and distribution of food

430. The Ministry of Agriculture deals with planning of the production of the various categories of agricultural produce and its supply to the population. The Ministry deals with agricultural development and economic consolidation of

rural settlements, as well as the development and allocation of the State's water resources, and responsibility for its lands. The following is a brief survey of the Ministry's activities relevant to the present report.

431. The Authority for Settlement, Agriculture and Rural Planning and Development deals with the gamut of problems of agriculture planning in the short and long term, making forecasts of requirements and strategic market research; allocation of growing and production quotas in the various branches; preparation of multi-year programmes, development programmes for agricultural infrastructure, regional plants and settlement patterns; conducting of research in agricultural and rural fields; referral of international projects in the sphere of agriculture and development of weak areas. This sphere of activity also includes contact with international institutions abroad and referral of the agricultural produce of neighbouring areas.

432. The Division for Land Preservation and Drainage is in charge of the development of regional and national economic plans for the utilization of waste water and preservation of the land resources, run-off water and natural vegetation, as well as for drainage and protection from flash floods of agricultural and built-up areas. To this end, the Division collects and analyses the natural data and determines the means for implementing the programmes. The Division is responsible for 42 drainage authorities and eight pasture authorities, which implement the regional and national plans and, through land preservation cells in the districts, instructs and guides farming settlements in the implementation of plans for local drainage and reservoirs. The Division undertakes land and pasturing surveys, land preservation planning research on regional and local drainage, reservoirs and pastures, and applied research (carried out at erosion research stations). The basis for every land preservation and pasturing programme is the land survey and the vegetation survey.

433. The Agricultural Research Administration coordinates the activity of research institutes and agricultural farms throughout the country, and deals with a wide range of subjects, from promotion of new products to the adjustment of mechanization and agricultural technology. The Administration deals also with development of products that can withstand disease and pests and development of innovative storage suitable for today's produce.

434. The Instruction and Professional Service helps farmers with instruction, planning and development of rural settlements. Advice and growing directives are given for the utilization of production elements according to each region's climatic and agricultural character. The Service coordinates the range of actions in the fields of instruction, development and professional promotion in all branches and activities of the agricultural settlement. The professional units of the Service advise the senior echelons of the Ministry in policy formulation, and direct and guide the instruction units in the districts, at the regional instruction offices and in the field services. Ten instruction units in the districts and the offices deal with agricultural instruction and advice, arrange field days and demonstrations, study days, short courses and, of course and primarily, instruction for the farmer at his farm. In conjunction with the other units of the Ministry, special emphasis

can be placed on activities to promote exports, replace imports and offer instruction to young settlements in accordance with the trends and work aims of the Ministry.

435. The Agricultural Investments Administration encourages capital investments in agriculture, promotes exports of agricultural produce and works for utilization of the natural conditions and experience latent in the agricultural sector. The administration was set up in order to operate the Encouragement of Capital Investment in Agriculture Law, 1980. The Government appoints the director of the Administration (at the recommendation of the Minister of Agriculture) and members of the Administration are appointed by the Ministers of Agriculture and Finance. The administration approves plans in accordance with the planning principles that the Ministry of Agriculture formulates for each budget year, after a branch, economic and professional examination. The law works to encourage investments in two ways: (a) a grant of 40 per cent of the investment; (b) income tax concessions for all the approved programmes - expressed by accelerated depreciation and an income tax ceiling of up to 30 per cent for companies and for an individual who is not a company who keeps separate two-sided books of account for the enterprise; 15 per cent for recipients of dividends from the companies. The concessions are given for the first five profitable years of the project but for not later than the twelfth year from the date on which approval was given for the programme. Farmers with land, water and a production quota are eligible to submit an application for approval of a programme.

436. The Division for Protection of Flora prevents the penetration of new diseases through control over imports and quarantining plants. It issues certificates of health for agricultural produce according to the requirements of the importing countries. It monitors diseases and their incidence and prepares lists of where they are found in the country. It locates and destroys new diseases that have entered the country before they become established here, and fights diseases that have entered and prevents their spread and consolidation. It also licenses and registers the supervision over pesticides for agricultural use and the examination of pesticide remnants; manages a computerized information centre in conjunction with the Agricultural Investments Administration; supervises plant reproductive material and seeds being traded; approves improved seeds; marks and registers mother trees and plants; supervises agricultural produce for export (fruit, vegetables and flowers); supervises and licenses fodder and additives to animal fodder; provides services for farmers for testing for diseases and their prevention and testing of pesticide preparations and fodder testing; and conducts applied research on subjects associated with the foregoing activities.

437. The Veterinary Services see to the health of livestock and other animals. The Veterinary Institute is responsible for health supervision and prevention of diseases and their spread.

The right to adequate housing

438. Throughout its 50-year history, Israel has maintained a steadfast commitment to the goal of a decent home in a suitable living environment.

Although no comprehensive legislation mandates this objective, such as is the case in other countries, all the coalitions that have formed the Government since the establishment of the State have consistently sought to achieve this goal through various administrative programmes.

439. The well-founded objective of adequate housing for all citizens has been expressed differently during the last five decades - both because of the changing scope of housing need and because the variable conditions have led to modified definitions of need and to various forms of government involvement in housing provision.

The "hands on - hands off" policies of government involvement

440. A historical overview of housing policy in Israel indicates a steady decline in government involvement and an increasing reliance on the private sector. This trend has been disrupted from time to time, especially during periods of increased immigration that markedly affected the housing cycle, or when greater emphasis was placed on achieving other national objectives such as population dispersal to peripheral regions.

441. During the first 20 years after independence (1948-1967), national housing policy was implemented by what may be characterized as the State's "mighty hand". During this period, more than two thirds of all dwelling units built were contracted by the Government, as opposed to private developers. Government agencies under the aegis of the Ministry of Construction and Housing (hereinafter "MCH") were mandated with taking charge of the completed units and renting them to eligible families, primarily new immigrants from Europe and North Africa.

442. Over the subsequent 20 years, when the State exerted what may be termed a "guiding hand", about one third of all new construction was government contracted, with the housing market being influenced by means of various government-initiated supply and demand mechanisms. The supply of government-owned units was still increasing and the eligible population groups for public rental units was expanded to include non-immigrant families living in substandard or overcrowded conditions.

443. Beginning in the mid-1980s, government housing policy was characterized by what may be termed a "disappearing hand" - striving to achieve Adam Smith's "invisible hand" - as the State increasingly relied on market forces and operated within the framework of a privatization policy. Concomitant with this policy, the national Government undertook a campaign to sell publicly owned rental units to the tenants. The outcome of this policy was a reduction of publicly owned stock by almost 30 per cent.

444. In the first half of the 1990's, a surge of immigrants from the former Soviet Union resulted in a population increase of approximately 12 per cent and a fourfold rise in annual housing demand. The privatized orientation experienced difficulties in meeting the housing demands of these new arrivals, especially since the immigrants represented a "needy" population group and thus a less profitable sector of the market. As a result, greater

governmental incentives were required to stimulate the market to achieve the needed levels of construction. Significantly, these units were built to be sold and, at least initially, were not designated to be rented to individuals or families eligible for public housing.

445. This brief period may be termed the "outstretched hand" by those who justify the intensified involvement, or the "meddling hand" by those who disdain the form of government intervention that was adopted, and the concomitant effects on the housing market.

Housing situation in Israel

446. The first and foremost source of data relevant to this part of the present report is based on a Family Expenditure Survey conducted by the Central Bureau of Statistics in 1992/93.

447. The existing data do not always distinguish between different population sub-groups. It is expected that more detailed information on housing conditions of various groups will be available in 1998, when the decennial census results are published.

448. It should be stressed that the MCH conducts periodic surveys of housing needs for different groups. These studies, conducted over the years, have focused on a variety of potentially vulnerable groups, such as the elderly, Arabs, single parents, immigrants, young couples, discharged soldiers, families living in development towns or in disadvantaged neighbourhoods, low-income households, physically challenged persons, etc. The results serve as the basis for calibrating the various parameters and adjusting eligibility criteria for all MCH housing assistance programmes. Since these groups may include both needy and resourceful households, the MCH programmes integrate the socio-economic characteristics of these groups without necessarily formulating a specific programme exclusively for a particular population sub-group.

449. The following is a short summary of the main findings of the Family Expenditure Survey, supplemented by additional data, when available.

(i) Tenure

450. The majority of Israel's households own their own home. In 1991 almost 72 per cent of all households were owner-occupiers. Almost one quarter (23.9 per cent) were renters, while the remaining 4 per cent lived in a variety of arrangements, especially where housing was provided within the context of work. Among the renter households, 2.1 per cent were classified as "protected" tenants under rent control legislation. Renter households may also be classified according to the type owner: 6.7 per cent of the rental households are rented from publicly owned units and 13.9 per cent from privately owned units. A breakdown of these data by deciles is included in the table shown below.

451. Through financial assistance programmes (described further below) 65 per cent of all new households purchase their own apartment within the first three years after marriage, and 91 per cent within 10 years of marriage. Thus young couples (married during the period 1982-1993) achieved the following ownership rates:

Length of marriage (years)	Ownership rate (%)
1-3	64.9
3-5	72.0
5-7	82.4
9-11	90.9
11-13	91.9

452. Of the new immigrants who arrived in Israel between 1989 and 1994 from the former Soviet Union, nearly 70 per cent own their housing today:

Year of immigration	Ownership rate (%)	No. of immigrants
1989	90.5	24 050
1990	84.4	199 516
1991	76.0	176 100
1992	.3	77 057
1993	68.7	76 805
1994	59.2	79 844
1995	47.1	76 362

(ii) Affordability

453. The data based on the family expenditure survey of 1992/93 indicate that the expenditure for housing for the average household was 19.48 per cent of overall consumption expenditures. The average outlay for the lowest two income deciles was 17.41 per cent, compared with 21.15 per cent for the two highest deciles. See a further breakdown in the following two tables.

SELECTED DATA ON HOUSING, BY DECILES OF NET INCOME PER HOUSEHOLD

	Deciles										Total
	10	9	8	7	6	5	4	3	2	1	
Households in population (thousands)	127.7	127.7	127.8	127.5	127.9	127.5	127.6	127.7	127.8	127.5	1 276.7
Persons in household	4.30	4.37	4.10	3.93	3.93	3.64	3.43	3.00	2.41	1.63	3.47
Standard persons in household	3.32	3.35	3.20	3.08	3.09	2.90	2.80	2.54	2.19	1.68	2.81
Earners in household	2.07	1.89	1.72	1.44	1.34	1.19	0.99	0.69	0.51	0.22	1.21
HOUSEHOLDS - TOTAL (PERCENTAGES)	100.0	100.0	100.0	100 0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Thereof:											
Households with owned dwelling	92.5	87.9	86.1	78.6	76.9	72.5	66.5	64.2	50.1	36.1	71.2
Households with rented dwelling	5.3	9.0	11.0	16.2	17.9	23.7	28.4	29.0	42.2	56.3	23.9
AVERAGE ROOMS PER DWELLING											
All households	4.30	4.01	3.55	3.45	3.24	3.17	2.94	2.84	2.50	2.17	3.22
Owned dwelling	4.34	4.04	3.60	3.54	3.32	3.29	3.02	3.01	2.72	2.48	3.45
Rented dwelling	3.67	3.85	3.28	3.15	3.01	2.81	2.82	2.58	2.31	1.97	2.62
HOUSING DENSITY (PERSONS PER ROOM)											
All households	1.00	1.09	1.15	1.14	1.21	1.15	1.17	1.06	0.96	0.75	1.08
Owned dwelling	1.00	1.08	1.16	1.14	1.23	1.13	1.12	0.99	0.84	0.68	1.07
Rented dwelling	0.97	1.16	1.15	1.11	1.13	1.24	1.29	1.22	1.14	0.83	1.12
AVERAGE VALUE OF OWNED DWELLING (thousands NIS)	540.2	420.3	354.4	301.9	277.4	261.4	228.6	216.9	209.2	163.0	318.9
EXPENDITURE ON HOUSING AND MAINTENANCE OF DWELLING											
Imputed housing expenditure per owned dwelling	1 764	1 386	1 162	997	914	866	757	710	691	529	1 048
Arnona tax per owned dwelling	182	155	129	1 220	106	101	92	81	67	46	116
Insurance of owned dwelling	69	41	35	35	19	13	10	12	8	4	28
Maintenance of owned dwelling	899	699	587	518	454	402	392	357	306	207	522
Maintenance of rented dwelling	685	678	630	463	358	294	267	226	201	138	284
Rent per rented dwelling	1 134	1 393	1 077	900	949	816	640	610	504	307	651
NET INCOME PER HOUSEHOLD											
All households	12 196	8 171	6 659	5 578	4 741	4 075	3 384	2 748	2 117	1 246	5 092
Owned dwelling	12 080	8 184	6 665	5 589	4 737	4 082	3 388	2 758	2 118	1 339	5 714
Rented dwelling	13 986	8 039	6 617	5 522	4 764	4 066	3 382	2 725	2 118	1 177	3 434

SELECTED DATA ON HOUSING, BY STATUS AT WORK AND CONTINENT OF BIRTH OF HEAD OF HOUSEHOLD

	Non-Jews	Continent of birth			Jews - total	Status at work			Total
		Israel	Asia - Africa	Europe - America		Not working	Self employed	Employee	
Households in population (thousands)	126.9	413.6	290.1	445.3	1 148.9	435.7	145.8	695.1	1 276.7
Persons in household	5.43	3.51	3.67	2.75	3.26	2.70	4.08	3.83	3.47
Standard persons in household	3.86	2.86	2.93	2.40	2.70	2.34	3.17	3.04	2.81
Earners in household	1.32	1.42	1.24	0.96	1.19	0.37	1.70	1.63	1.21
HOUSEHOLDS - TOTAL (percentages)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Thereof:									
Households with owned dwelling	93.0	68.3	75.4	65.0	68.8	66.4	79.2	72.5	71.2
Households with rented dwelling	3.0	24.2	20.2	32.0	26.2	27.3	15.1	23.6	23.9
AVERAGE ROOMS PER DWELLING									
All households	3.41	3.29	3.34	3.02	3.20	2.87	3.62	3.35	3.22
Owned dwelling	3.47	3.59	3.50	3.29	3.45	3.06	3.78	3.61	3.45
Rented dwelling	2.16	2.59	2.92	2.52	2.62	2.50	2.93	2.66	2.62
HOUSING DENSITY (PERSONS PER ROOM)									
All households	1.59	1.07	1.10	0.91	1.02	0.94	1.13	1.14	1.08
Owned dwelling	1.60	1.08	1.09	0.82	0.99	0.91	1.13	1.14	1.07
Rented dwelling	1.46	1.03	1.13	1.17	1.11	1.04	1.14	1.17	1.12
AVERAGE VALUE OF OWNED DWELLING (thousands NIS)	184.6	368.0	310.4	332.3	339.0	294.9	385.1	318.0	318.9
EXPENDITURE ON HOUSING AND MAINTENANCE OF DWELLING									
Imputed housing expenditure per owned dwelling	612	1 212	1 023	1 086	1 114	970	1 256	1 046	1 048
Arnona tax per owned dwelling	110	131	108	111	117	84	145	128	116
Insurance of owned dwelling	5	35	21	37	32	24	25	32	28
Maintenance of owned dwelling	512	602	451	502	524	411	635	560	522
Maintenance of rented dwelling	161	327	297	252	286	237	460	295	284
Rent per rented dwelling	283	720	331	744	656	497	983	719	651
NET INCOME PER HOUSEHOLD									
All households	4 170	5 844	4 945	4 758	5 196	3 510	6 615	5 765	5 092
Owned dwelling	4 241	6 635	5 530	5 560	5 936	3 986	6 898	6 435	5 713
Rented dwelling	2 330	3 944	3 006	3 284	3 450	2 526	5 121	3 868	3 434

(iii) Sanitation facilities

454. The level of facilities in dwelling units is an important component of household living conditions. About 71 per cent of all households lived in dwelling units equipped with one toilet, while 28 per cent lived in units with two toilets or more. Similarly 75 per cent of all households lived in units with a bath while almost 25 per cent lived in dwelling units equipped with a shower only. These data refer to a survey of all recognized cities and townships, but did not include Aillegal settlements@ (dealt with further below). More comprehensive information covering these sites will be available next year, following the processing of the most recent decennial census information.

(iv) Density

455. Housing density, as measured by the number of persons per room, has declined over the years as the size of households has decreased and the average dwelling unit increased. The 1992/93 survey reveals an average of 1.1 persons per room (kitchen and bathroom not included). At the upper end of the density scale 12 per cent of all households live with between 1.5 and 1.99 persons per room, while an additional 11 per cent of households have more than two persons per room.

456. According to recent data for the year 1996 the average number of persons per room is under 1 per cent for Jews and stands at 1.62 per cent for non-Jews:

HOUSEHOLDS, BY HOUSING DENSITY, SIZE OF HOUSEHOLD AND POPULATION GROUP
1996

Persons per room	Persons in household									
	Average per household	7 +	6	5	4	3	2	1	Total %	000
JEWS - TOTAL	3.32	4.3	6.8	14.6	18.4	15.5	22.9	17.5	100.0	1 340.0
Up to 0.49	1.16	-	-	-	(0.2)	(1.1)	13.1	85.5	100.0	145.7
0.5	1.51	-	-	-	(0.4)	3.5	42.5	53.6	100.0	114.9
0.51 - 0.99	2.70	(0.1)	1.1	5.9	14.8	23.0	49.3	5.8	100.0	346.2
1.00	3.25	(0.4)	2.5	13.5	25.9	30.1	18.5	9.1	100.0	296.7
1.01 - 1.49	4.59	5.1	8.7	35.9	42.3	5.1	3.0	-	100.0	225.9
1.50 - 1.99	5.27	13.8	29.0	35.6	7.3	14.4	-	-	100.0	125.2
2.00	5.14	15.0	37.8	9.0	21.1	5.4	10.3	(1.4)	100.0	52.5
2.01 - 2.49	7.58	81.7	(18.4)	-	-	-	-	-	100.0	10.6
2.50 - 2.99	6.88	48.7	-	37.3	(14.0)	-	-	-	100.0	11.0
3.00 +	7.87	59.8	20.6	(6.9)	(1.7)	(10.1)	(0.8)	-	100.0	10.2
ARABS AND OTHERS - TOTAL	5.06	24.3	15.7	16.8	16.6	11.2	10.0	5.4	100.0	200.8
Up to 0.99	2.21	(0.2)	(1.4)	(2.1)	(6.9)	21.1	41.3	27.0	100.0	26.9
1.00	3.00	-	(0.8)	7.2	28.2	30.3	22.4	11.2	100.0	28.3
1.01 - 1.49	4.56	7.8	(6.2)	31.2	45.2	(5.8)	(3.8)	-	100.0	[illegible]
1.50 - 1.99	5.39	16.8	29.4	33.6	6.0	14.3	-	-	100.0	39.6
2.00	5.62	20.5	45.1	8.4	18.9	(1.0)	(4.6)	(1.6)	100.0	28.1
2.01 - 2.49	7.39	91.2	(8.8)	-	-	-	-	-	100.0	12.5
2.50 - 2.99	7.36	65.5	-	32.3	(2.3)	-	-	-	100.0	14.3
3.00 +	8.39	71.2	18.9	(3.8)	(4.5)	(1.6)	-	-	100.0	18.4
		Average no. of persons per room								
Jews		1.87	1.44	1.22	1.06	0.89	0.65	0.41	100.0	0.97
Arabs and others		2.41	1.77	1.55	1.28	1.02	0.76	0.53	100.0	1.62

Source: CBS Statistical Abstract of Israel 1997.

(v) Public housing eligibility

457. Approximately 120,000 housing units (7.5 per cent of total households in Israel) are administered by public housing companies. Two such companies maintain units in numerous cities and towns throughout the country, while the remaining are primarily jointly owned national-municipal companies. Eligibility for publicly owned rental units is set by criteria described below. The most recent official figures indicate that approximately 2,000 families are on waiting lists for public housing.

(vi) Homelessness

458. Out of a population of over 5.8 million only about 3,000 persons are estimated to be "homeless". Social service agencies at the national level under the aegis of the Ministry of Labor and Social Welfare, working in conjunction with the local municipalities, have provided assistance to approximately 1,200 homeless persons since 1990. The Ministry's annual budgetary appropriations for addressing the needs of homeless persons amounts to NIS 4.5 million ($1.3 million). Moreover, the various assistance programmes, described further in this chapter, typically render homelessness in Israel a temporary situation.

459. The special situation of two particularly vulnerable sub-groups need further elaboration: new immigrants from Ethiopia and Bedouins living in illegal settlements.

460. New immigrants from Ethiopia. There are today in Israel a total of about 57,000 Ethiopian Jews, who immigrated in two major waves in the mid-1980s and in 1991. They have large families and about 60 per cent of them are under age 18. There is a high percentage of single-parent families (about 25 per cent), about three times the national rate. Their integration into Israeli society has raised some major challenges.

461. The immigrants who came in the 1980s were settled directly into local communities in which they, for the most part, established permanent residence based on the provision of public housing. By the time the 1991 wave arrived, the public housing stock in the central cities had been used up. It should be taken into account that at that time there were already some 300,000 new immigrants from the CIS in the country. The newcomers from Ethiopia were at first housed in hotels and various absorption centres. Later, they were provided with caravans in 22 mobile home sites. Some 6,930 households from the CIS and 4,920 households from Ethiopia were housed in caravan sites. Efforts to provide these immigrants with permanent housing have proven effective, as shown in the following table:

	The situation in September 1992		The situation in April 1996	
	Families	Singles	Families	Singles
Caravan sites	3 720	1 200	450	910
Absorption centres	1 460	500	250	320
Hotels	157	-	-	-
Other	-	-	-	200
Total	5 337	1 700	700	1 340

462. A contributing factor of change was the initiation in 1992 by the Ministry of Immigrant Absorption of an unprecedented mortgage programme (described below).

463. Occupants of illegal settlements (mostly Bedouins). The right to decent housing is recognized in Israel within the legal framework of town planning and local government organization. However, this does not mean having the right to live anyplace one chooses. There exist in Israel about 53,000 people, mostly Bedouins, living in settlements of all sizes, which do not fit in the urban and rural planning schemes designed by the relevant authorities under Israeli law. Such settlers consistently refuse governmental aid proposals for resettling in appropriate locations. The following is a detailed account of the legal and factual situation regarding illegal settlements in Israel.

464. The Bedouins started settling in the land of Israel in the fifth century A.D. This process continued, most notably during the time of the Ottoman Administration over the region, and throughout the period of the British Mandate, preceding the establishment of the State of Israel. This gradual process has continued up to contemporary times.

465. A great deal of the lands which the Bedouins claim are of the legal type named muwat, i.e. land that is not privately owned or possessed. The relevant laws regarding muwat lands were implemented in 1858, in accordance with paragraph 6 of the Ottoman statute over this area. Paragraph 103 of the same law determines that the possession of the muwat land which is not privately owned, is conditioned by an initial permit.

466. During the British Mandate similar laws were enacted. Thus, the Land Ordinance (Mewat) 1921 states:

> "Any person who, without obtaining the consent of the Director of Lands, breaks up or cultivates any waste land shall obtain no right to a title deed for such land and shall further be liable to be prosecuted for trespassing."

467. As for cultivating land without a formal permit before the publishing of this Ordinance, it was possible to formalize a legal right to the land by filling out a request with the Land Clerk within two months of the Ordinance's publication. Following the publication of the Ordinance, the Bedouins did not register the lands they were inhabiting. A great many have no written documents proving their rights. Nevertheless, both the Ottoman Administration and the British Mandate officials decided not to evacuate the Bedouin inhabitants from the lands they effectively were inhabiting.

468. Indeed, traditional Bedouin law is significantly different from that implemented by the Ottoman Administration, including different ways of proof with no need to issue formal written documents. However, Israel's law of land rights does require written documents for any land transaction.

469. Nevertheless, the Government finds it hard to meet the basic needs of the people, being obliged to provide services, such as water, electricity, roads, health care, and sanitary and educational facilities, without prior and proper planning.

470. Back in the 1960s and 1970s, a national plan for handling the Bedouin illegal settlement problem in the south had been formed. According to the plan, seven urban towns were to be established for the entire Bedouin population in the south. The Bedouins willing to settle there were to be compensated properly and to be transferred to the towns. Today, around 40,000 people who accepted the national plan reside in those towns. Unfortunately, more than 50 per cent of the Bedouin population still live in illegal settlement locations. Their main demand is to be permitted to form rural settlements, where they could practise traditional habitation.

471. Currently, a Planning and Building Law (Reformation - Demolishing Orders) Bill is being debated in the Knesset. The main goal of this proposed legislation is a total ban on the implementation of any demolishing order in any illegal settlement until a proper solution has been found for the inhabitants.

472. Israel acknowledges that it cannot impose upon the entire Bedouin population an urban solution which would be contrary to its wish and traditional way of life. Hence, in 1995, the Minister of Housing instructed that the existing policy be changed. The Minister developed a new strategy aimed at promoting a better quality of life for the entire Bedouin population while maintaining the traditional Bedouin way of life. Investments in the Bedouin sector have increased from NIS 50 million in 1989, to NIS 138 million in 1993-1995. New guidelines issued by the Housing Minister directed that investments in infrastructure should be on a level comparable to that in Jewish settlements.

473. According to the new guidelines:

(a) The Ministries of Interior and Housing are to plan two or three new urban towns for 20,000 people. Their living would be earned from agriculture and sheep;

(b) Agricultural settlements - two to three new agricultural settlements are to be established, each accommodating 600 families;

(c) Ten agricultural farms are to be planned for around 5,000 people;

(d) Five to seven shepherds' settlements for around 100 families are to be planned.

474. In 1996 a special Knesset commission examined this issue. One of its recommendations was to find a compromise; whereas on the one hand some of the illegal settlements would be recognized, on the other hand, proper compensation for concession of the land would be granted. The commission also agreed that aside from providing compensation, the towns where the Bedouins would reside should meet their needs and characteristics. Resources for additional settlements will be allocated and the number, location and

distribution of their inhabitants stipulated. Furthermore, it also recommended that arbitrators be appointed for rapid processing of Bedouin claims, and that Bedouin settlements be connected to electricity and sewage systems more rapidly.

475. The Supreme Court has addressed on several occasions the unique problem of illegal settlement and inadequate housing conditions in the Bedouin sector in Israel, and has expressed its approval of the government policy to encourage the transfer of Bedouins into permanent settlements built on State lands. The following citation sums up the problem from a legal point of view:

> "In the State of Israel, the Bedouins constitute an ethnic minority of unique character. The Bedouins are originally nomadic tribes whose economy was based on camel and sheep herding ... In recent decades a gradual process of change has occurred within the Bedouin tribes marking a shift from nomadic life to semi-nomadic life and permanent settlement. The move to permanent settlements was unplanned and unorganized, and was thus characterized through negative phenomena of illegal construction, taking possession of State lands and lack of vital services. Consequently, a governmental policy was determined, in as early as in the 1960s, which stated the need to settle the Bedouins in planned permanent settlement, so that the phenomena of illegal construction and taking possession of State lands would be stopped and the provision of orderly public services such as education, health, hygiene and other municipal services could be facilitated ... The establishment of permanent settlements for Bedouins required therefore unique planning of the settlement to the needs, practices and traditions of the Bedouins, since otherwise the Bedouins would have refused to move to the permanent settlements ... The establishment of the permanent settlements was also intended to offer adequate housing solutions to the Bedouin families living in illegal houses, so that those illegal houses could be demolished and the area of land cleared ... The establishment of permanent settlements could also facilitate and assist future agreements with the Bedouins pertaining to the property rights in lands in dispute ...
>
> "The Bedouin towns are established on State lands and/or land expropriated especially for the purpose of establishing a permanent Bedouin town. The appropriation of land for building the Bedouin permanent settlements in the Negev are for Bedouins only, and is being done at a specially low and State-subsidized price, all this in order to encourage permanent settlement of the Bedouins which comports with the important public considerations described above ... [T]here is a public interest to assist the Bedouins in permanently settling in towns ... and the preferential treatment given to them ... is anchored in reasonable and pertinent considerations ..."
>
> H.C. 528/88 Avitan v. Israel Land Administration, P.D. 43 (4) 297, 300-304

476. Data on settlements in the south. The Bedouin population is spread throughout the northern part of the Negev, mostly in the Sayig area covering 1.5 million dunam. Some 40 per cent of the area is being utilized by the Bedouin for habitation, pasture and agriculture. The total Bedouin population

in the south is estimated today to be 100,000 people. About 50,000 live in "illegal" settlements. The yearly natural growth of this population is about 5.6 per cent, at this rate the total Bedouin population in the south will number 120,000 by the year 2000. It is worthwhile noting that the total population of Israel is some 5.8 million people, meaning that the number of inhabitants living in "illegal" settlements in the southern part of the country is less than 1 per cent of the total Israeli population.

477. The "illegal" settlements are excluded from the formal population survey. There are no updated and exact data regarding the size of the population or its composition. Nevertheless, in 1991 the Ministry of Interior conducted a survey to evaluate the size of the population and other demographic data. According to the survey there are 108 tribes divided into several settlements. The total number of temporary settlements is estimated to be 1,213. The total number of housing units in the settlements is estimated to be 9,273. According to these data, the population in the area totals a minimum of 46,000 and a maximum of 93,000 inhabitants (calculated at five people per housing unit minimum, 10 people per housing unit maximum). In addition there are some 64 small settlement points (less than 50 housing units per settlement) with 1,350 housing units, and 40 large settlement points (more than 50 housing units per settlement) with 7,923 housing units. Average density for small settlements is 21 housing units per settlement. Average density for large settlements is 192 housing units per settlement.

478. Data on settlements in the north. The number of Bedouin in the northern part of Israel is estimated to be 38,000 people. Of them the number of people in illegal settlements is 3,000.

479. Prospects for the future. In light of the principle of equality, Israel cannot accept a wide range of illegal housing in the Bedouin settlements. Nevertheless, the Government acknowledges the fact that illegal building in this case is done out of necessity. An effort is being made to reduce the implementation of demolition orders until a permanent solution can be found. Since the beginning of the 1990s there is an ongoing process of accepting the claims of the Bedouin representative organizations.

480. Nine of the 40 settlements legalization - eight were legalized during the years 1995-1996 (government decisions Nos. 4377, dated 14 December 1994; 4569, dated 3 January 1995; and 206, dated 24 December 1995). Today, the administrative planning for the settlements is approaching completion. Government decision No. 206 determined that consultations would continue over the ninth locality.

481. Consultations over other small illegal settlements - mostly comprised of single families - are continuing out of a commitment to the late Prime Minister Rabin's declaration that the Government favoured the integration of smaller illegal settlements into larger legal ones, adopting one of the following alternatives: keeping the rights to their agricultural land, substituting lands, receiving compensation for the lands. In May 1996, the Government also decided on a special allocation of NIS 5 million for providing infrastructure to the newly recognized settlements.

482. The Attorney-General took it upon himself on 15 June 1997 to call upon the Ministry of Interior to find creative solutions to speed up the planning process regarding those settlements which have been legalized, so that basic services as water, electricity, education and so on could be provided soon. As to the other settlements, the Attorney-General decided to urge the Prime Minister to establish an interministerial committee to coordinate the various current governmental activities, with clear instructions to be more sensitive to the humanitarian aspect of the problem. The Attorney-General's main suggestion was to tackle the problem on a practical level, looking for ad hoc solutions, taking into consideration distinctions between old and new homes, small and large settlements, whether houses were placed on already planned lands, etc.

Overview of current housing assistance programmes

483. The Ministry of Construction and Housing (MCH) utilizes various policy tools aimed at creating an adequate supply of affordable housing that meets the needs of the country's various population groups. The Ministry's NIS 10 billion ($2.9 billion) budget covers the entire housing production process from planning and land allocation, via construction and infrastructure provision, to mortgage financing and public housing. The overall strategy is an enabling one whereby the Government makes resources available both on the supply side and on the demand side to provide the means for various types of households to purchase housing.

(i) Supply-side policies

484. The MCH undertakes a variety of measures aimed at increasing the supply of housing. These measures include:

Statutory planning of new cities, towns and neighbourhoods;

Land tenders housing, out of State-owned lands;

Planning and provision of residential infrastructure, including electricity, water and sewage, drainage and communications networks (in peripheral parts of the country designated as national priority zones, discounts covering up to 50 per cent of overall costs are provided for the residential infrastructure);

Planning and financing of public facilities such as schools, day care centres, community centres, libraries, public gardens and parks, etc.

485. Land use falls under the purview of the Planning and Building Law 1965. This law establishes a three-tiered system of statutory bodies and plans at the national, district and local levels. National plans are formulated by the National Planning and Building Board and approved by the Government; district plans are prepared by six District Planning Committees and approved by the National Board; and local plans are prepared by Local Planning Boards or by private entrepreneurs and approved at the local or district levels depending on the scope and complexity of the plan. Building permits and inspection of construction to ensure compliance with the local code is administered by local planning committees. The full text of this law is attached in annex A to this report.

486. Further mention should be made of land tenders for housing. In 1996 the MCH and the Israel Lands Administration (ILA) issued a variety of tenders for land planned for some 46,000 dwelling units. These tenders include: "Lowest Price to the Consumer", in which competition among builders focuses on marketing the finished units to eligible families at the lowest per metre price; "Cooperative Housing" built in conjunction with municipalities for eligible households; "Net Housing" in which the Government coordinates between a contractor, selected by competitive bid, and eligible families who have been selected by lottery; as well as the traditional regular bids for land without any limitations set on price or eligibility criteria. In all cases, the land offered for tender has a site plan approved by the various statutory planning bodies. Furthermore, the land is serviced with residential infrastructure provided either by the MCH, the ILA or a relevant municipal agency.

(ii) Demand-side assistance

487. The MCH provides demand-side housing assistance in a variety of forms. These include:

Mortgages - approximately 50,000 subsidized mortgages annually;

Rent supplements - approximately 140,000 rent supplements monthly;

Public housing - approximately 7,000 new tenants annually.

488. Before providing further details on each form of assistance, it is important to note their common principles:

(a) Building a partnership between the individual and the State in solving housing problems: the assistance is conditioned on the individual's financial participation, according to his/her needs and resources;

(b) Leaving the choice to the individual as to the preferred solution of the available assistance schemes;

(c) Defining qualifications for assistance and the level thereof according to objective criteria;

(d) Providing clear information on the various existing privileges, in order to minimize the level of an individual's dependence on the authorities;

(e) Granting the services within a framework of specialized agencies, such as mortgage banks and public housing corporations. The goal of the MCH is to concentrate on policy-making, allocating resources, delineating rules for achieving its goals and supervising performance.

(iii) Mortgage assistance

489. Mortgages are provided for the acquisition of housing (first- or second-hand), building one's own home, or apartment enlargement. In 1996 more than 52,000 government-sponsored mortgages were provided to the various categories of eligible households, 90 per cent of whom were first-time home-owners. Most of the subsidies for the loans are financed by the national

budget. In 1995 over 96 per cent of the loans were financed by the Government; the remaining 3.5 per cent were financed and backed by private banks, with a government subsidy to cover the difference between the market interest rate and the special interest rate for such loans. The overall budget for these loans was in 1996 approximately NIS 6 million ($1.7 million), which represents 3.4 per cent of the 1996 total national budget.

490. The central precondition for eligibility for mortgage assistance is to be a "non-homeowner": this term applies to a household in which neither spouse is currently or previously a homeowner (retainer of property rights in an apartment or house) nor has received in the past governmental assistance for housing. Non-homeowners are then divided into several groups, according to their status (immigrant/non-immigrant) and their family status (singles, couples, single-parent families). The assistance level is defined by different parameters that vary among the different groups (i.e. years of marriage, number of children, size of original family, etc.). In general, these parameters imply situations of socio-economic need and are aimed at quantifying such needs (every parameter determines a certain amount of points, which add up to determine the level of assistance). For the Young Couples Program, for example, the number of children and the number of siblings of both spouses have been found to serve as an indirect measure of equity accumulation, reflecting the local pattern in which parents often help their children in making the initial down-payment for housing.

491. Further differentiation may be made in exceptional cases on the basis of a "severity test" which is determined according to the extent of distress, its length, the size of the family, etc. Finally, the Families of Single-Parent Law and the Absorption of Discharged Soldiers Law 1994 prescribes an increase in the level of assistance to these two specific sectors of the population, also assuming the existence of increased needs. The final, and important, criterion of level of assistance is the geographic site chosen for the realization of the mortgage assistance. The country is divided in four zones, depending on the governmental preferences and based on geo-political considerations. Development towns, for example, are usually included in the zone where the level of assistance is the greatest. As a general rule, assistance in peripheral areas is greater than that in the centre of Israel.

492. In exceptional cases an appeal against refused requests for assistance can be filed to a local Housing Assistance Committee, composed of representatives of governmental and municipal housing officials. A district Housing Assistance Committee exists as a higher appeal instance. Finally, there exists in the MCH headquarters a Central Appeal Committee, which is given discretion to grant assistance in deviation from the rules, in order to address particular and unusual problems.

493. In the last decade there has been a significant growth in the rate of young Israeli couples that have exercised their right to subsidized mortgages. Available data enable comparison between the years 1984-1986 and 1994-1996 and show an average growth of about 40 per cent - from 37 per cent to over 51 per cent. The most dramatic growth of mortgage realization is among the Arab population (680 per cent), and the Druze population (about 59 per cent).

Data	1984-1986	1994-1996	Change
Average number of marriages	29 714	36 229	21.7%
Jews	23 673	27 150	14.7%
Arabs	5 543	8 327	50.2%
Druze	498	752	50.9%
Average number mortgages executed	10 930	18 657	70.7%
Jews	10 481	15 182	50.9%
Arabs	229	2 319	912.7%
Druze	219	526	139.8%
Percentage of realization	36.8%	51.5%	40.0%
Jews	44.3%	58.2%	31.5%
Arabs	4.1%	27.9%	680.1%
Druze	44.0%	70.0%	58.9%

494. Other specialized programmes for mortgage assistance include:

Single-parent - for single parent households;

Immigrants - for new immigrants, especially from the CIS and Ethiopia;

Elderly - for those of retirement age;

Singles - for single-person households;

Development areas - for purchasing housing in designated development areas;

Urban renewal - for purchasing or upgrading units in "Project Renewal" neighbourhoods.

495. Single-parent families. The level of assistance to this group is relatively higher than for most non-homeowners. The Single-Parent Families Law 1992 was enacted in recognition of the fact that this group is especially vulnerable and the chances of a single parent (usually a single mother) purchasing housing are of the lowest. Recently, a special increase in assistance was added for single-parent families which have seniority as such

of over five years. The mortgage rates for this group approaches the rate of the highest levels of couples assistance, i.e. who reach these levels after a longer period. The following table illustrates the form and level of mortgage assistance for this group:

Assistance for single-parent families (in NIS)

Status	Mortgage rate	Portion which is a conditional grant	Initial monthly return
Zone No. 1 sing. fam. + child	153 000	47 000	535
+ over 5 years	170 000	53 000	590
Zone No. 2 sing. fam. + child	163 700	50 300	573
+ over 5 years	181 900	56 700	631
Zone No. 3 sing.fam. + 0-3 child	124 000	31 000	468
sing. fam. + 4-5 child	136 000	35 000	508
sing. fam. + 6 + child.	146 000	37 000	647
Zone No. 4 sing. fam. + 0.3 child	138 000	45 000	461
sing. fam. + 4-5 child	149 000	45 000	461
sing. fam. + 6 + child	159 000	52 000	530

496. Singles. Singles over the age of 27 are entitled to assistance with mortgages for housing purchase only. The level of assistance is determined according to age, while individuals over the age of 35 are entitled to almost the same assistance level which is granted to couples. Recently there has been an improvement for individuals over the age of 45, both by raising the level of assistance itself and by increasing the portion which is a conditional grant.

497. The elderly. In general, an elderly person is an individual over the age of 65. A woman can be considered elderly by age 60. At certain assistance levels, elderly persons without children can get the same amounts as families with children.

498. *Immigrants*. Housing assistance is crucial to Israel's policy of encouraging immigration. Most new immigrants lack a stable financial basis and need some time to obtain a steady and remunerative employment. Hence the assistance made available to new immigrants, which is higher than to most of the non-immigrant groups. Entitlement for assistance as an immigrant is nevertheless basically limited to seven years, after which he/she is considered as a non-immigrant. Concerning new immigrants from Ethiopia, in light of their rather unique situation, there are special criteria which further raise the level of mortgages up to over NIS 365,000, of which about 90 per cent is a grant, with a special initial monthly return of NIS 157. (For comparison, see the table presented above relating to assistance to single parents.)

499. *Substitution or enlargement of residence*. Although most assistance schemes are intended for "non-homeowners", there are also programmes aimed at solving acute housing problems of homeowners. Improving housing conditions is sometimes vital, such as for health or safety reasons, overcrowding and other hardship conditions. Assistance is offered in such cases to people in need, based on established socio-economic criteria. A main scheme of such assistance exists in the context of Project Renewal, which designates disadvantaged neighbourhoods, establishes a decision-making process designed to empower their residents, and allocates resources for a variety of projects, including improvement of housing conditions. Another important criteria to be mentioned here is over-crowded housing. Assistance to solve problems of overcrowding is available for households with more than 2.2 persons per room or when the apartment's size is too small relative to the number of persons living in it:

Number of persons	2	3	4	5	6	7	8	9
Area (square meters)	22	39	48	58	68	78	88	98

500. The various levels of assistance are described in the next chart (in NIS):

Family size and overcrowding	Mortgage	Portion which is a conditional grant	Initial monthly return
Over 4 persons/room			
0-6 persons	58 000	10 000	252
7-8 persons	80 000	32 000	252
9 persons	89 000	41 000	252
10+ persons	98 000	50 000	252
Over 3 persons/room			
0-6 persons	46 000	6 000	210
7-8 persons	66 000	26 000	210
9 persons	75 000	35 000	210
10+ persons	84 000	44 000	210

501. Finally, the eligibility for the substitution or enlargement of a residence due to health problems is determined according to the opinion of a medical consultant of the MCH. The level of assistance is identical to other sorts of assistance for housing improvement.

(iv) Rent supplements

502. This programme is aimed to provide assistance in renting private-market apartments. The population groups that are eligible for rent supplements are primarily vulnerable groups. These include: new immigrants, who receive a graduated stipend that decreases over a five-year period; single-parent households - for three years; households whose income falls below a minimum and who exercise their full employment potential; couples who have accumulated 1,400 points or more for three years (according to the criteria of eligibility for mortgage assistance to non-homeowners, as described above), regardless of income. When a means test applies, the main test in use is a proof of eligibility for one of the various subsistence allowances provided by the National Insurance Institute. Aid is also provided to persons in the process of a divorce and responsible for a child/children, and to a single parent who waived her/his housing rights as part of the divorce agreement. The programme is usually aimed as a temporary solution for one to three years, but low-income families according to special criteria, are entitled to unlimited extensions in assistance. The administrative process for realizing the right to rental assistance resembles that provided for subsidized mortgages (described above).

503. Empirical data for 1996 show that rent supplements were made available to more than 140,000 households each month. Of the 142,000 households that received rent supplements at the end of 1996, almost 113,000 (80 per cent) were new immigrants; 13,000 (9 per cent) were young couples with the requisite number of points; 6,300 (4.4 per cent) were single-parent households; and 2,800 (2 per cent) were elderly households, other than those included in the immigrant families.

(v) Public housing - Placement in publicly owned buildings with a subsidized rent

504. According to the MCH rules there are certain criteria for entitlement to a public housing unit. Priority is given to single-parent households with three or more children, to families whose members have a physical disability and to particularly low income households. Rental rates are set at three different levels, provided that the maximum level of assistance does not exceed 95 per cent of the actual rent. The main criteria under public housing assistance schemes are:

(a) Initial allocation:

  (i) Certain non-homeowners - couples, one-person families, single-parent families, elderly persons, handicapped persons - with a means test;

  (ii) Residents in unfit accommodation - without any means test;

(b) Change of residence within public housing:

  (i) Health problems - without any means test;

  (ii) Overcrowded conditions - without any income test.

505. Means tests take into consideration the overall income of the household. The entitlement rate is also influenced by the geographic location of units throughout the country. Generally speaking, there is a large reservoir of apartments held by the MCH and its agents, mostly in peripheral areas of the country. If an appropriate apartment is not available, there is a possibility that the Ministry will finance the acquisition of one to enable placement of an applicant eligible for subsidized rent. Such acquisition is decided according to the financial abilities of the Ministry. In 1996, about 100 such units were purchased to address particularly acute problems.

(vi) Special asistance of the Ministry for Labor and Social Affairs

506. Temporary relief of acute housing crises. There are three different types of such special assistance programmes: participation in rate fees; participation in house-repair expenses; participation in house-moving expenses. The general purpose of the programme is to provide a temporary "safety net" for people with an acute housing crisis. The aid is for a maximum period of two months and its goal is to prevent further aggravation of the situation. It is aimed at persons without any other alternative, who are in extreme personal or familial distress (or in danger thereof) because of exceptional housing conditions. Income tests similar to those used by the MCH is an additional condition. Eligibility is decided on the basis of a report made by a professional social worker. A common factor taken into consideration in this context is the existence or absence of a natural family capable of helping. Assistance is also provided when a judicial opinion recommends or orders separate residences.

507. Special assistance to the homeless. Treatment units in seven municipalities in different parts of the country provide a network of services for homeless persons. These services include: (a) shelter - emergency shelter during which efforts are made to establish eligibility for ongoing assistance; (b) treatment - a rehabilitation centre for treatment and diagnosis to help undertake the process of rehabilitation and the return to a more normal framework of living; (c) satellite apartments serving as "links" to facilitate the return to the community. In addition, the Ministry of Labor and Social Affairs has established supplementary services and sheltered housing for two small sub-groups with additional needs: (a) alcoholics; and (b) those with emotional or physical disabilities. The services are conducted in cooperation with other national government agencies, including MCH, the Ministry of Immigrant Absorption, and the Ministry of Health, as well as municipal welfare services. This joint effort illustrates the widely accepted commitment on the part of government (both national and local) to taking responsibility for administering the needs of homeless individuals.

The legal framework of housing assistance

508. The Israeli legal framework relating to housing can be divided into two sorts of legal arrangements: (a) administrative directives, which define most of the assistance schemes; and (b) statutes and legal precedents which affect housing rights in the market.

509. The Housing Loans Law 1991 at first sight seems to contradict the validity of the previous distinction, since it creates a legal right to Government-subsidized mortgages. The Law sets a minimum range of mortgage assistance and stipulates maximum levels of interest rate. The Law furthermore authorizes the Minister of Construction and Housing, in conjunction with the Minister of Finance, to provide supplementary assistance at rates to be determined between them. The full text of this law is attached in annex A to this Report.

510. However, the law defines the content of the right by way of referral to the existing rules issued by the MCH. Therefore, no real change occurred since its enactment, and it will remain so until new rules are issued. One can nevertheless say that provisions which until this law was passed were mere "administrative directives", must now be considered as secondary legislation even though they are not published as such. In any case, new rules under this law are in preparation, in the normal format of secondary legislation, and should be issued soon.

511. The legal status of the administrative directives, which define almost all housing assistance programmes described in the previous section, is the following: the Government may modify or abolish them at will, or even deviate from them in particular cases since they are mere "internal directives" guiding the use of discretion in administrative decisions. These directives have, however, legal implications: their content as well as their use or misuse by officials are subject to judicial scrutiny under regular administrative law. Hence decisions according to the said directives may not discriminate, be arbitrary or unreasonable.

512. Mention was made in the previous sections of two laws granting rights to housing assistance to specific groups - the Absorption of Discharged Soldiers Law 1994 and the Single-Parent Families Law 1992. These laws are of limited scope when put in the perspective of all the assistance programmes in place. Furthermore, they merely increase the level of assistance for specific vulnerable groups, as opposed to creating a right standing by itself.

513. The above legal analysis concerns direct assistance to be provided by State or other public agencies. One must keep in mind that there exist in Israel various legal provisions that indirectly affect housing rights and opportunities, often in a way that diminishes the need for direct assistance. Such is the Protection of Tenants Law (Revised Version) 1972. This Law applies only to the housing units it defines (constituting about 2.1 per cent of total rental households). Accordingly, tenants are protected from raises in rent over a certain sum defined by governmental ordinance under the Law. This Law also protects the tenants to which it applies from eviction in contradiction to defined grounds, and gives the courts full discretion to oppose an eviction plea whenever it believes it is needed for "reasons of justice". As a matter of fact, this provision has made eviction from protected tenants almost impossible.

514. Also important in the present context is the Rental and Borrowing Law 1971, which defines the division of responsibility between landlords and their tenants as far as maintenance of the housing unit is concerned.

515. The Sales Law 1968 is a generalized consumer protection-related law. It specifies the rights and responsibilities of the consumer and seller, and outlines the various remedies available in case of breach of the law. The Sales Law (Apartments) 1973 further protects those purchasing new dwelling units from contractors. The Law delineates a standard sales format outlining the physical features of the dwelling unit, and provides for remedies in instances of disparities between the sales contract and the completed unit. The Law additionally defines the minimum guarantee period for various components of the dwelling unit or building. Finally, the Sales Law (Guarantees for the Investment of Purchasers of Apartments) 1974 focuses on providing financial guarantees to the purchasers of apartments from building contractors during the construction process. The law calls for the seller to provide bank guarantees or insurance to the purchaser to protect all payments made before the title transfer is completed.

516. Finally, legal arrangements exist for the provision of substantive reductions or even a total waiver of homeowners' municipal tax in cases involving very low income owners, according to various means tests.

Government policy to combat poverty in Israel - Recent trends and developments

Existing policy

517. Increased resources have been allocated to programmes for promoting social development in the last several years. The areas which have received greatest attention in terms of planning, allocation of funds, and reorganization include improved quality of education and reforms in income maintenance, direct taxation and health care systems. The principles underlying the current government policy to reduce poverty and income disparities are:

- Raising the minimum income guaranteed to the most vulnerable groups: the elderly, the disabled and one parent families.
- Equalizing social security rights of beneficiaries of equal needs.
- Reducing the burden of direct taxes while preserving the delicate balance between efficiency and equity. Equity has been preserved by broadening the tax basis and reducing the marginal tax rates for low income groups.
- Enhancing social protection to new immigrants via the various assistance programmes.
- Guaranteeing by legislation the universal access to health services.
- Allocating more resources to improve the educational system in quantitative as well as qualitative terms.

- Introducing improvements in selected areas of the social services provided to vulnerable populations

- Increasing Social Protection to the most vulnerable groups: The Single-Parent Families Law 1992 and the Reduction of Poverty and Income Disparities.

518. The Single-Parent Families Law, enacted in 1992, has strengthened the social protection for one-parent families with low income, by increasing the level of their means-tested benefit (i.e. the minimum subsistence income), as well as by awarding them child-education grants and priority in vocational training. The law brought about an equalization of rights among the various types of one-parent families, under the principle of "equal treatment for families with equal needs".

519. In 1994, the Minister of Labor and Social Affairs initiated the law for the Reduction of Poverty and Income Disparities. This was enacted in part in response to the publication of data that indicated an increase in the rate of poverty in the last several years. The fact that such a law has been enacted reflects the society's recognition and commitment to alleviate economic hardship and reduce income inequality. Under this law, the means-tested benefits paid to the elderly and one-parent families, as well as the disability benefits for families with children, have been raised significantly and now exceed the poverty line. Also, beneficiaries aged 46 and over received an increment of the benefit, in view of their little likelihood of finding a job. It is estimated that the law will bring about a one third reduction in the incidence of poverty. The resources for financing the increased benefits have been raised mainly by a light cut in the level of the universal child allowances, with the exception of those paid to large families, as well as by an increment in government participation in the financing of social security benefits. A complementary proposal, submitted to the government by the Minister of Labor and Social Affairs and now under discussion, would extend the increased means-tested benefits to all families with children.

Towards universality of Child Allowance Programs

520. In 1993-1994 the Government completed the final steps necessary to establish a universal child allowance scheme, by which a unified allowance would be granted to every family in Israel in accordance with the number of children. These steps included abolishing the income test for small families as a prerequisite for entitlement to child allowances and gradually extending the child allowance increments provided to veterans of the armed services to the entire population. The purpose of these changes was to overcome the low take-up rate of child allowances by small low-income families (only 50 per cent of eligible families had received the allowance) and to base the child allowance level on the number of children alone, irrespective of income and service in the armed forces. This should enhance the equity of the scheme and bring about an improvement in the well-being of families with children, in particular large non-Jewish families, most of whom were previously ineligible for the special increments provided to those who served in the armed forces.

Tax reforms

521. An exceptional number of reforms in the Israel direct tax system took place during the last decade. Since 1984, the Government has undertaken several policy measures to reduce the income tax burden, mainly to enhance work incentives and promote economic growth. These measures, which have been gradually implemented over the decade brought about a reduction in the marginal income tax rates. (The lowest rate has been reduced from 25 per cent to 15 per cent, and the high from 60 per cent to 48 per cent.) High-income earners have benefited more than low-income earners from these tax changes. To compensate for the adverse effects on equity, complementary steps have been, and will be, implemented in the tax schemes of the social security and health systems, so as to improve overall equity of direct taxes.

522. Under the Reduction of Poverty and Income Disparities Law which came into force in 1995, the social security tax basis will be broadened - by raising the tax basis ceiling and by including income components currently exempt from taxation - and the rate levied on low incomes will be reduced by 50 per cent. This policy has also been adopted as part of the National Health Insurance Law 1995. Its importance lies not only in achieving a more equitable distribution of the tax burden, but also in reducing the poverty trap afflicting many workers who currently straddle the borderline between low paid jobs and unemployment. Furthermore, under the reformed health tax scheme, special attention has been paid to vulnerable groups, such as the elderly or widow/widowers, who will pay only a minimum flat rate contribution.

The National Council for Diminishing Social Gaps and War on Poverty

523. The National Council for Diminishing Social Gaps and War on Poverty was founded by the Government in August 1996 and began operating in May 1997. Its mandate includes defining "poverty", indicating its causes and trends, submitting to the government proposals for a national policy, innovative reform projects and ways to enhance empowerment of disadvantaged groups and finally, running pilot projects.

524. Whereas the Israeli Government has always been deeply involved with social policy and social assistance, it is the first time an attempt is made to provide national leadership with comprehensive and systematic data and approach.

525. The council's composition combines professionalism and empowerment. The Labor and Social Affairs Minister chairs an assembly of about 70 members, of whom 60 per cent represent governmental and public agencies, universities, religious and spiritual circles, and 40 per cent are community representatives (volunteers, representatives of relevant NGO's, local community leaders, etc.). Members of the assembly take part in specialized working committees, headed by prominent specialists. The council is activated and coordinated by a gearing committee and a coordinator, under the direction of the Director General of the Ministry for Labor and Social Affairs. A decision on its budget is still to be made. For the meantime, it is mainly based on volunteer participation and on modest funds provided by the Ministry.

International cooperation

526. The Center for International Agricultural Cooperation and Instruction at the Ministry of Agriculture assists developing countries, mainly in Africa, Asia and Central and South America. The aid is given as direct instruction, conducting courses for further training in Israel, mobile courses in the target countries, and also advice with the planning of different agricultural ventures. The centre coordinates activity in joint research for developing countries. The research is coordinated with academic agricultural research centres in Israel. Thanks to the fruitful cooperation between researchers and research institutions in Israel, by the funding countries and the developing countries, the funding countries are expanding this activity for the coming years. There is also cooperation on the subject with a number of non-governmental organizations overseas, and, in many instances, a funding source for development of the projects, training courses and research, is involved. The contacts with these bodies is fully coordinated with the Ministry of Foreign Affairs.

527. The centre, together with the Ministry of Foreign Affairs, has run courses and trained manpower in various agricultural matters for hundreds of students in Israel, as well as 60 mobile courses in countries in Latin America, Asia, Africa, Egypt and Eastern Europe. The activities include the sending of experts for long-term agricultural projects, setting up a sample farm, consultating in the framework of agricultural projects and providing other advice in coordination with, and at the request of, the various countries.

528. During the last year, joint activities with countries that have recently renewed ties with Israel has increased - among them: China, India and various countries of the former Soviet bloc.

Article 12 - The right to the highest attainable standard of health

Introductory overview

529. Israel is a member party of the World Health Organization (WHO). Israel's last report to the WHO, "Highlights on Health in Israel", was submitted in 1996 and covers data up to 1993. It is attached in Annex 3 of this report.

530. This introductory overview is a reproduction of the summary of the report, updated to 1996, with the addition of the following table, which presents the main data on the indicators of the physical and mental health of the Israeli population and on the change in these indicators over time:

SELECTED HFA INDICATORS FOR ISRAEL

Indicator title	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995
1. Demographic and socio-economic																
Mid-year population, total	3,879,000	3,949,700	4,026,700	4,037,600	4,159,100	4,232,900	4,298,800	4,368,900	4,441,600	4,518,200	4,660,100	4,946,200	5,123,500	5,261,400	5,399,300	5,539,700
Mid-year population, male	1,938,300	1,973,000	2,010,800	2,011,600	2,075,700	2,112,300	2,144,600	2,179,000	2,215,100	2,253,200	2,321,000	2,458,300	2,543,000	2,609,400	2,675,800	
Mid-year population, female	1,940,700	1,976,700	2,015,900	2,026,000	2,083,400	2,120,600	2,154,200	2,189,900	2,226,500	2,265,000	2,339,100	2,487,900	2,580,500	2,652,000	2,723,500	
Live birth, total	93,484	93,308	96,695	98,724	98,478	99,376	99,341	99,022	100,454	100,757	103,349	105,725	110,062	103,330	114,543	117,182
Live birth, male	48,144	47,204	49,566	50,838	50,914	50,911	50,936	50,559	51,603	51,638	53,013	54,141	56,603	57,775	58,855	60,155
Live birth, female	45,340	46,104	47,129	47,886	47,564	48,465	48,405	48,463	48,851	49,119	50,336	51,584	53,459	45,555	55,688	57,027
Total fertility rate	3.14	3.06	3.12	3.14	3.13	3.12	3.09	3.05	3.06	2.90	2.80	2.80	2.70	2.80	2.90	
% Unemployed persons, total	5	5	5	5	6	7	7	6	6	9	10	11	11	10	8	6
Annual rate of inflation	133	102	132	191	445	185	20	16	16	21	18	18	9	11	15	8
GNP, US$ per capita	5,423	5,746	5,968	6,526	5,977	5,474	6,677	7,881	9,660	9,633	10,958	11,766	12,589	12,346	13,580	15,406
GDP, US$ per capita	5,615	5,887	6,151	6,729	6,240	5,699	6,922	8,140	9,911	9,887	11,223	11,987	12,822	12,522	13,752	15,660
GDP, PPP$ per capita	6,922	7,756	8,269	8,813	9,221	9,807	9,947	10,728	11,339	11,794	12,647	13,288	13,942	14,346	15,205	16,273
2. Health status																
Number of deadborn fetuses, 1,000 + grams	422	504	482	506	469	459	423	457	453	418	343	396	409			
Number of deaths, 0 - 6 days, 1,000 + grams		385	328	380	370	321	325	317	326	280	293	258	242	204	208	193
Number of live births, 1,000 + grams		91,205	94,224	96,765	96,157	97,248	97,637	97,801	99,119	99,406	101,283	104,182	107,132	109,149	111,391	113,993
Number of deaths, 0 - 6 days, 500 + grams		629	550	608	575	551	525	522	469	461	460	414	408	339	365	331
Number of deadborn fetuses, 500 + grams	455	547	529	539	509	524	478	517	515	469	381	448	458			
New cases, tuberculosis	249	227	232	222	257	368	239	184	226	160	234	505	345	419	343	392
New cases, hepatitis - total	3,924	4,525	3,146	3,898	4,965	4,558	3,208	2,058	2,813	2,452	2,650	1,751	1,353	3,547	3,891	2.308
New cases, hepatitis - A													1,037	3,041	3,483	2,165
New cases, hepatitis - B													139	138	132	69
New cases, syphilis					122	160	54	32	41	45				156	118	
New cases, gonococcal infections					644	674	424	127	135	146	0	0	0	0	0	0

Indicator title	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995
New cases, pertussis	19	25	62	78	7	24	47	96	7	260	189	35	99	138	71	59
Number of new cases, measles	215	228	7,864	129	137	3,005	1,951	438	178	29	212	991	66	141	1,565	28
Number of new cases, malaria							36	94	268	251	183	67	213	58	26	45
Number of new cases, diphtheria	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0
Number of new cases, tetanus	2	3	3	2	2	3	1	1	3	1	0	5	0	2	1	1
Number of new cases, acute poliomyelitis	11	8	5	4	1	2	0	2	16	0	0	0	0	0	0	0
Number of new cases, congenital rubella							0	2				0	6	2	1	0
Number of new cases, neonatal	0	1	2	1	0	0	0	1	2	1	0	0	0	0	0	0
Number of new cases, rubella	881	451	602	2,302	7,189	556	284	4,220	1,718	354	99	437	2,145	104	62	46
Number of new cases, mumps	3,041	5,956	5,092	3,904	6,584	2,113	1,052	2,579	6,999	891	364	349	676	895	891	117
Estimated cumulative cases, HIV seropositive															2,000	2,000
New cases, clinically diagnosed AIDS		0	2	8	5	10	25	19	24	34	45	37	39	55	32	53
Hospital discharges: infectious and parasitic diseases								22,798							30,245	
Hospital discharges: all cancers								30,632							54,374	
Number of new cases of cancer, all sites, total	8,866	8,942	8,980	8,663	9,785	9,930	10,106	10,088	10,165	10,987	12,253	13,109	13,354	14,072		
Number of new cases of cancer, all sites, male	4,400	4,409	4,393	4,273	4,794	4,883	4,961	4,992	4,878	5,283	5,820	6,117	6,389	6,694		
Number of new cases of cancer, all sites, female	4,466	4,533	4,587	4,390	4,991	5,047	5,145	5,096	5,278	5,704	6,433	6,992	6,965	7,378		
Number of cases, malignant neoplasms, total																

Indicator title	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995
Number of cases, malignant neoplasms, male																
Number of cases, malignant neoplasms, female																
Number of new cases of trachea/ bronchus/lung cancer, total	718	715	757	755	858	883	792	870	829	937	946	949	905	987		
Number of new cases of trachea/ bronchus/lung cancer, male	536	532	565	543	637	647	554	654	601	667	692	680	661	700		
Number of new cases of trachea/ bronchus/lung cancer, female	182	183	192	212	221	236	238	216	228	270	254	269	244	287		
New cases, cancer of the female breast	1,174	1,152	1,243	1,128	1,317	1,289	1,360	1,305	1,409	1,616	1,811	2,005	2,049	2,153		
New cases, cancer of the cervix	64	82	86	85	66	95	79	91	97	124	118	117	148	139		
Number of cases, diabetes mellitus																
Number, mental health patients in hospital, 365 + day	6,163	6,106	6,141	6,102	5,977	5,854	5,606	5,285	5,076	5,014	4,951	4,865	4,812	4,824	4,771	4,578
Number of new cases of mental disorders	4,548	4,486	3,962	3,570	3,812	3,485	3,124	3,115	2,933	3,196	3,293	3,558	3,517	3,699	3,714	4,141
Number of new cases of alcoholic psychosis	13	5	30	31	39	28	22	26	29	23	27	35	38	35	45	51
Number of cases, mental disorders	8,678			8,164	8,059	7,780		7,167	7,036		6,877		6,867	6,866	6,949	6,846
Hospital discharges: diseases of circulatory system								64,876							102,302	
Hospital discharges: ischaemic heart disease								31,127							47,439	
Hospital discharges: cerebrovascular diseases								7,365							12,425	
Hospital discharges: diseases of respiratory system								41,060							65,368	
Number of cases, chronic obstructive pulmonary diseases																

Indicator title	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995
Hospital discharges: diseases of digestive system	.	.	.	.	.	.	.	42,879	.	.	.	.	.	.	63,786	.
Hospital discharges: diseases musculoskeletal & connect tissue	.	.	.	.	.	.	.	14,708	.	.	.	.	.	.	26,280	.
Hospital discharges: injury and poisoning	.	.	.	.	.	.	.	37,069	.	.	.	.	.	.	55,576	.
Absenteeism due to illness, days per person per year	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
Newly granted invalidity (disability) cases	.	.	.	.	.	.	.	.	.	13,445	14,117	11,659	18,176	20,667	20,801	15,516
Number, persons receiving social benefits due to disablement	.	.	.	.	.	.	.	.	.	108,499	111,702	113,931	118,401	125,436	132,618	140,089
% of disabled regular occupation, 15 - 64 years	.	.	.	.	.	.	.	21	.	.	.	.	.	.	.	.

531. The population of Israel is relatively young. This is understandable in light of the fact that the population has increased almost sixfold since the country's independence in 1948, mainly as a result of immigration.

532. Life expectancy at birth in Israel was 76.6 years in 1992, close to the average in the European Union (EU). Male life expectancy was 74.7 years, the third highest among a reference group of 20 European countries*. In marked contrast, female life expectancy was 78.5 years, sixteenth highest and well below the EU average of 80.0 years. Thus, the difference in life expectancy in Israel between men and women is the smallest of the 20 reference countries. The same situation existed in 1994 when life expectancy for men was 75.5 years and for women, 79.5 years. This mortality pattern, where male mortality is among the lowest in the reference countries, while that of women among the highest, also holds for all the main causes of death.

533. Infant mortality declined by 37 per cent between 1982 and 1992, but remained the second highest among the reference countries. By 1995, however, the rate had fallen from 7.5 to 6.8 per 1,000 live births.

534. The Standardized Death Rate (SDR) for cardiovascular diseases in the 0-64 age group was close to the EU average in 1992. The SDRs for ischaemic heart disease were the fifth highest of the reference countries for women but the eighth lowest for men. The SDRs for cerebrovascular diseases in the 0-64 age group were close to the EU average for women and below the average for men. In both these diseases, both male and female SDRs fell sharply from 1982 to 1992.

535. The SDR for cancer in the 0-64 age group was one of the lowest in the European reference countries. The overall cancer rate for men was the lowest of all these countries, while the rate for women was close to the EU average. The SDR for external causes was below the EU average for men and close to the average for women. With respect to suicide, Israeli males show a lower average than general in the EU (its increase of 43 per cent over the last 10 years is, however, one of the highest) but the rate for women is about the average.

536. Nationwide health promotion programmes have gained momentum during the last few years, especially those emphasizing physical activity. The percentage of smokers in the over-20 population declined from 38 per cent in 1973 to 31 per cent in 1992. Among women the drop was even greater. A number of new laws restricting smoking in public areas and workplaces have recently come into force. Alcohol consumption in 1993 was the lowest of all the reference countries.

537. Persons aged 20-74 who were taking medication or following a special diet for hypertension make up 8.5 per cent of the population. The prevalence of high-serum cholesterol (240 mg/dl or more) in the working population

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* The 15 member States of the European Union plus Iceland, Israel, Malta, Norway, and Switzerland.

aged 20-64 is 18.3 per cent. Some 25 per cent of this population has been estimated to be overweight. Since the 1950s, the intake per head of total calories, fats, animal fats, and protein has increased. The level of leisure-time activity in the general population is low: some 20 per cent of persons aged 14+ participate in such activity at least once a week.

538. Environmental control is the joint responsibility of the Ministry of Health and the Ministry of the Environment. Popular awareness of environmental issues is growing: air and water quality are the key issues.

539. Health expenditure has continued to rise as a percentage of GNP, reaching 8.7 per cent in 1995.

National health policy

540. After years of political and professional debate, the health-care system in Israel is at last in the process of fundamental reform, both of its conceptualization and its services. There are three major elements to the reform:

- a National Health Insurance Law
- the withdrawal of the Government from direct health-care provision
- the internal reorganization of the Ministry of Health.

The National Health Insurance Law

541. The Israeli Government has always assumed its responsibility to ensure universal enjoyment of basic health services. This commitment, which grew in scope over the years, was for the first time legally entrenched, with the enactment of the National Health Insurance Law 1994, which came into effect in January 1995. The following is the main features of this complex piece of legislation. (The full text is attached in Annex 1 to this report.)

542. This new law is based on mandatory insurance. All residents of Israel are insured by one of the four authorized health funds, each of which must provide, at least, the basic package of services and medications, as detailed in the law. Health insurance premiums are centrally collected by the National Insurance Institute, in the same way Social Security Insurance is collected (see under article 9 of the Covenant). These premiums are then distributed to the Health funds according to a capitation formula. It should be stressed that one's right to health services is secured even in case insurance premiums failed to be paid.

543. The basic package of services mandated by the law includes all basic physical and mental primary care, including services and medications. Every insured person has the right to choose his/her health fund and no fund may refuse to enrol an applicant, regardless of age, or physical or mental condition.

544. The State's responsibility under the law is not only to regulate the activities of the Health funds (including recognition, supervision, enforcement, etc.). Actually, regulation powers were always given to, and used by, the Minister of Health in various laws - the People's Health Ordinance 1940, the Physicians Ordinance [New Version] 1976, the Dentists Ordinance [New Version] 1976, the Rights of the Patient Law 1996 (full text of the latter is attached in Annex 2 to this report).

545. The importance of the National Health Insurance Law in the context of the present Covenant, lies in that it imposes on the Ministry of Finance the final responsibility to refund the health funds for any gap between their income from insurance premiums and their factual expenses on all services mandated by the law.

Withdrawal of the Government and reorganization of the Ministry of Health

546. The Ministry of Health's goal is to concentrate on policy-making, long-term planning, setting performance standards, quality control and quality insurance, and the evaluation of essential data. Hence, internal reorganization of the Ministry has already resulted in the establishment of new departments, e.g. a department of performance standards.

547. The Ministry owns and operates a portion of Israeli hospitals - 23 per cent of general hospitals, 50 per cent of mental health hospitals, and 4 per cent of geriatric hospitals. The remainder are profit-making or public non-profit facilities. Under the reformed system, government hospitals will become self-financing, non-profit facilities. The Ministry of Health will supervise their operation but not participate directly in their day-to-day operation.

548. The first steps taken by the Government towards transformation of its hospitals into legally autonomous entities have encountered resistance, especially from trade unions. The process is certainly going to be a long one.

549. At community level, primary health care is provided in Israel by the following:

- Health fund clinics
- Hospital outpatient clinics and emergency rooms
- Private clinics
- Family health centres (also provide preventive care).

550. Most primary care is supplied by the four health funds, either by direct provision through its own clinics and medical staff or by purchase. Member premiums cover the cost of most of these services, both outpatient and in-patient, as well as medications. Each insured person is free to choose any

of the general practitioners or specialist physicians from the list employed by his/her health fund. Most affiliated physicians are not paid fee-per-visit but by salary or reimbursement.

551. A national survey of health services utilization, conducted in the first quarter of 1993, showed that 83 per cent of the most recent visits to a general practitioner/family doctor were made to health fund clinics, 12 per cent to private clinics, and 3 per cent to hospital outpatient clinics or emergency rooms. With respect to visits to specialists, 61 per cent took place at health fund clinics, 21 per cent at hospital outpatient clinics or emergency rooms, and 16 per cent at private clinics.

552. Family health centres span the whole country, operated by central government, local government authorities or the health funds, according to an agreed geographical distribution. Some 1,000 cover the urban areas while public health nurses visit small and peripheral localities at least once every two weeks. The services provided comprise physicians' examinations, developmental examinations, monitoring of breastfeeding, vaccination, and guidance and advice to mothers.

Long-term policy

553. In 1989 the Ministry of Health issued its Guidelines for Long-term National Health Policy in Israel, in which it formulated recommendations incorporating and promoting equity in health, health promotion and disease prevention, community involvement, intersectoral cooperation, primary medical care and international cooperation as the six principles underlying health objectives and priorities for Israel.

554. The strategy that follows aims at translating a number of policy goals into specific activities based on solid epidemiological data. The strategy is based on the following principles:

(a) Equity in health: While absolute equity in health is out of reach for biological/genetic reasons, the National Health Insurance Act that came into force on 1 January 1995 at least ensures equity of access to health-care services for the whole population. In addition, emphasis will be placed on reducing the gaps in health status between different population groups, such as new immigrants from specific countries, certain ethnic minorities, and people living in underprivileged areas.

(b) Primary health care: The main means for ensuring equity will be primary health care, as defined by the World Health Organization under its policy of Health for All by the Year 2000. Primary care will include health promotion, health protection, disease prevention, medical care, and rehabilitation and will be delivered by multidisciplinary teams of staffers from medicine, nursing, social work, and other health professions.

(c) Government responsibility: The Government will assume responsibility for the health of the people to the same degree as its responsibility for its welfare in other domains, such as security and education. It will be accountable to the people for the health service it guarantees.

(d) The rights of individuals and the general public: Individuals and the public at large will have the right to participate actively in shaping public health services and in supervising them. The Government will encourage such participation, which will include public debate, including in the mass media.

(e) Appropriate health technology: The Government will take measures to ensure the use of the appropriate technology, from the scientific, technical, social and economic points of view, in all areas of health care. It will encourage all concerned to take similar measures.

(f) Intersectoral and interdisciplinary action: To ensure an appropriate level of health, the Government will foster coordinated action by all sectors and disciplines concerned.

(g) Relationship between divisions of the health-care system: The Government will ensure appropriate mutual relationship between the primary, secondary and tertiary sections of the health system. This will entail removing unnecessary duplication, strengthening primary care, and providing incentives to hospitals to support other divisions of the system.

(h) Command and coordination: The Ministry of Health will provide command and coordination across all components of the strategy. In view of the intersectoral nature of the strategy, it will be approved by the Government as a whole.

555. The strategy has the following components:

- A demographic and epidemiological overview, describing the historical factors and current health situation that led to the strategy.
- The 1995 Health Care System Reforms introducing universal national health insurance and managerial autonomy for public hospitals, and reshaping the functions of the Ministry of Health.
- Substantive health programmes. A number of programmes have been selected for priority attention. Specific targets have been set, and related activities have been allocated to sectors, institutions, professions, and public bodies within the health-care system.
- Monitoring and evaluation are integral parts of the strategy. *Inter alia*, the degree of observance of strategy principles will be measured. Indicators will be developed to measure quality of life and welfare, including indicators of disability-adjusted life-year gain.

The following is the list of priority programmes:

(a) Health promotion

(b) Family health

(c) Control of cardiovascular diseases

(d) Control of malignant diseases

(e) Control of diabetes

(f) Mental health

(g) Control of substance abuse and alcoholism

(h) Prevention of accidents and physical and sexual violence

(i) Oral health

556. In addition, mention should be made of the National Council for Community Health. This council was established in 1996 with the mandate to advise the Ministry of Health on policy on primary health care. The council has recommended that by the year 2000 each resident should have a designated "personal physician", who will provide for them a coordinated and integrated health package.

Health expenditures

557. Health expenditure as a percentage of GNP reached 8.7 per cent in 1995, compared to 8.9 per cent in 1994, 7.8 per cent in 1992, and 7.8 per cent in 1989. In 1993, households financed 52 per cent of national expenditure on health care via health insurance premiums and out-of-pocket costs, as against 32 per cent in 1984. The difference is explained by the fact that premiums and out-of-pocket costs have been considerably raised. In 1984, households' payments to health funds covered 12 per cent of national health expenditure, in 1993 the amount was 25 per cent. This reduction in the proportion of health-care costs funded from general taxation has put an increasing burden on households. Out-of-pocket costs to households for medications and services from private physicians, clinics, and dentists accounted for 20 per cent of total health-care expenditure in 1984 and for 27 per cent in 1993. In the same period, central government financing decreased from 52 per cent to 44 per cent of total health-care costs.

558. Hospital care continues to consume the greater part of health-care spending. This percentage rose continuously until 1980 when it reached 47 per cent of current spending. It then gradually declined, until 1994 when the percentage spent on hospital care was 41 per cent. For the last decade, spending on community-based facilities and preventive care has remained constant at around 33 per cent, rising to 38 per cent in 1994, of which some 60 per cent-70 per cent goes on primary care.

Health indicators of the World Health Organization

559. The trend in the infant mortality rate per 1,000 live births has been as follows:

Table 1: Infant mortality 1989-1995

	Total	Jews	Non-Jews
1989	10.1	8.2	14.7
1990	9.9	7.9	14.9
1991	9.2	7.2	14.2
1992	9.4	7.5	14.3
1993	7.8	5.7	12.8
1994	7.5	5.7	11.5
1995	6.8	5.6	9.6

560. A large part of the fall in infant mortality is due to the fall in mortality from infectious diseases and pneumonia. Death from congenital disorders is also showing a downward trend. In every population group, the higher the mother's education level, the lower the infant mortality rate. Mothers in the age groups "Less than 20" and "35+" show a higher infant mortality rate than mothers in the 20-34 age group.

Table 2: Infant mortality (rate per 1,000 live births) by religion and age of neonate at death, 1990-1994

	Total		Early neonatal mortality 0-6 days		Late neonatal mortality 7-27 days		Post-neonatal mortality 28-365 days	
	Rate	Per cent	Rate	Per cent	Rate	Per cent	Rate	Per cent
Total	8.8	100	4.1	46.6	1.4	15.9	3.2	36.4
Jews	6.8	100	3.6	52.9	1.2	17.6	2.0	29.4
Non-Jews	13.5	100	5.3	39.2	1.9	14.1	6.3	46.7

561. From 1990 to 1994, almost half the deaths of neonates occurred in the first six days of life, this proportion being much lower among non-Jews than among Jews (39.2 per cent v. 52.9 per cent). The disparity in post-neonatal death rates (28-265 days) between Jews and non-Jews is particularly wide (2.0 v. 6.3) and so is the disparity in the percentage of post-neonatal deaths in total infant mortality (29.4 per cent v. 46.7 per cent). The reason for the relatively high rates of mortality in the post-neonatal period among non-Jews should be investigated, as death at this time of life is usually associated with environmental factors, such as infectious diseases and accidents, and is to a considerable extent preventable. (Programmes for dealing with this problem are detailed below, in Section 7.)

Table 3: Infant mortality (rate per 1,000 live births) in 24 countries 1983-1993

Country	1983	1993
Turkey	82.9	52.6
Portugal	19.2	8.7
Greece	14.6	8.5
USA	11.2	8.3
Belgium	10.6	8.0
Israel	13.7	7.8
Jews	11.4	5.7
Non-Jews	22.7	13.1
Spain	10.9	7.6
Italy	12.3	7.3
New Zealand	12.5	7.3
Canada	8.5	6.8
Austria	11.9	6.5
France	9.1	6.5
The Netherlands	8.4	6.3
Australia	9.6	6.1
Ireland	9.8	5.9
Germany	10.2	5.8
Switzerland	7.6	5.6
Denmark	7.7	5.4
Norway	7.9	5.0
Iceland	6.2	4.8
Sweden	7.0	4.8
Finland	6.1	4.4
U.K.	10.1	6.6*
Japan	6.2	4.5*

* 1992

562. Israel is currently in 19th place out of the 24 developed countries in the above table (compared to 21st place in 1983), with an infant mortality rate about that of Italy, Belgium and Spain. The rate among Israeli Jews is close to that in Germany, Denmark and Switzerland, ranking 7th out of the 24.

563. Water supply: Almost all Israeli households (99.8 per cent) are connected to the main water supply networks. About two thirds of Israel's water is pumped from the Sea of Galilee and the national aquifer. Galilee water is piped all the way to the south of the country. For about 50,000 Bedouin, the majority in the Negev (south), water is not piped directly to the family home but to Mekorot National Water Co. standpipes, from where it is carried by vehicle, camel, or on foot to the family home.

564. Sewage: Most households (80 per cent) dispose of their sewage via the central sewage system. Some small settlements use septic tanks and cesspools, but they are gradually being connected to the central sewage system.

565. Immunization: The percentage of children immunized against diphtheria, pertussis, tetanus, measles and poliomyelitis is as follows:

	DTP 4 doses	eIPV 3 doses	OPV 3 doses	MMR 1 dose
1993				
Total	92	93	93	95
Jews	91	92	92	94
Non-Jews	94	95	95	96
1994				
Total	91	92	92	94
Jews	90	91	91	93
Non-Jews	93	94	93	97
1995				
Total	94	95	95	95
Jews	93	94	94	94
Non-Jews	98	99	98	98

* Israel no longer immunizes routinely against tuberculosis, except for new immigrants from Ethiopia, India and Yemen.

566. Life expectancy data are as follows:

LIFE EXPECTANCY(1), BY SEX AND POPULATION GROUP

	Arabs and others		Jews		Total population	
	Females	Males	Females	Males	Females	Males
1930 - 1932			62.7	59.9		
1933 - 1935			61.8	59.5		
1936 - 1938			64.5	60.8		
1939 - 1941			64.6	62.3		
1942 - 1944			65.9	64.1		
1949			67.6	64.9		
1950 - 1954			70.1	67.2		
1955 - 1959			71.8	69.0		
1960 - 1964			73.1	70.6		
1965 - 1969 (2)			73.4	70.2		
1970 - 1974 (2) (3)R	71.9	68.5	73.8	70.6	73.4	70.1
1975 - 1979	72.0	69.2	75.3	71.7	74.7	71.2
1975	71.5	68.2	74.5	70.9	73.9	70.3
1976	72.4	69.6	75.4	71.6	74.8	71.2
1977	71.3	68.5	75.4	71.9	74.7	71.3
1978	72.0	69.1	75.6	71.9	75.0	71.5
1979	73.1	70.0	75.8	72.3	75.3	71.8
1980 - 1984 (2) R	74.0	70.8	76.5	73.1	76.1	72.7
1980	73.4	70.0	76.2	72.5	75.7	72.1
1981	74.2	70.6	76.3	73.1	75.9	72.7
1982 (2)	73.3	70.3	76.2	72.8	75.8	72.5
1983	74.1	71.2	76.6	73.2	76.2	72.8
1984	74.2	71.5	77.1	73.5	76.6	73.1
1985 - 1989	75.5	72.7	77.8	74.1	77.4	73.8
1985	75.8	72.0	77.3	73.9	77.0	73.5
1986	75.0	72.2	77.1	73.5	76.8	73.2
1987	75.8	73.2	77.7	73.9	77.0	73.6
1988	75.1	72.4	78.0	74.2	77.5	73.9
1989	75.5	73.1	78.5	74.9	78.1	74.6
1990 - 1994	76.3	73.5	79.2	75.5	78.8	75.1
1990	75.9	73.3	78.9	75.3	78.4	74.9
1991	75.7	74.2	79.0	75.4	78.5	75.1
1992	75.5	72.4	78.9	75.2	78.4	74.7
1993	76.9	73.6	79.5	75.7	79.1	75.3
1994	77.1	73.8	79.7	75.9	79.4	75.5

(1) Data for multi-year periods are arithmetical means of the yearly expectancies.

(2) Exct. war casualties: see introduction.

(3) For total population and Arabs and others - averages of 1971-1974.

567. The relatively low life expectancy for Israeli women has not yet been explained. It appears to be related to a relatively high mortality from cardiovascular diseases and breast cancer.

568. Access to trained personnel: The entire population has access to trained personnel for the treatment of common diseases and injuries and a regular supply of 20 essential drugs is available within one hour's walking or travelling distance.

569. All pregnant women have access to trained personnel during pregnancy. In 1992, the maternal death rate was 5.45 per 100,000 live births, having risen from the level in 1979-1980. The 1990-1992 rate was the ninth lowest of all European Union countries. All infants have access to trained health care.

Environmental control

570. Environmental control, as far as health protection is concerned, is the joint responsibility of the Ministry of Health and Ministry of Environment.

Water pollution

571. Wastewater from households, agriculture and industry can pollute natural water sources. The Israeli Supreme Court on several occasions has recognized the importance of protecting the environment against industrial harm. It recently called for more severe sentences for offenders:

> "With the increase in public awareness to offences related to protection of environment and prevention of water contamination, the legislator has been induced to determine significant penalty levels for these offences. ... Not only is this offence grave by itself, for it might adversely affect the public's standard of living and health, but ... the appellant continued to break the law after having been given a warning ... it is thus time to raise the level of penalties."
> P.Cr. A. 244/96 The Chim Nir Air Services Management and Airlines (1991) Ltd. v. State of Israel, Takdin-Supreme, vol. 96 (1) 6, 6-7.

572. Considerable efforts are made to prevent water pollution. Effluents are recycled for secondary use. Administrative authorities have been set up to control the effluent contamination of groundwater and rivers and to promote the restoration of rivers. Treated effluents are mainly kept to agricultural use. Standards of effluent quality are strictly monitored to prevent damage to public health and crops.

573. Water for domestic use is inspected and tested for bacteria and unwanted chemicals in compliance with regularly updated national standards and the recommendations of the WHO. In the past four years, water quality has substantially improved. In 1994, only 4 per cent of all test results showed the possibility of contamination. Fuel disposal and agricultural practice are also causes of water contamination.

Air pollution

574. The main sources of air pollution are energy production, transport, and industrial manufacture. A new national air quality policy was drawn up in 1994, as follows: preventing air pollution by integrating environmental considerations into physical planning, regular monitoring and periodic control

systems, legislation and enforcement (including ambient and emission standards), reducing sources of pollution, and reducing pollutant emissions from motor vehicles.

575. The energy economy is based on fossil fuels, mainly oil and coal. The pollution released into the atmosphere by fuel combustion shows that levels of sulphur oxides and lead have fallen, but levels of carbon dioxide, carbon monoxide, nitrogen oxides and hydrocarbons have risen. There has been no change in the concentrations of suspended particulate matter.

576. In 1994, 63 air quality monitoring stations were in operation. All monitor sulphur dioxide, most monitor nitrogen oxides and particulate matter, and a few monitor ozone and/or carbon monoxide. New devices monitor airborne chemicals at hazardous waste disposal sites. The limited information available indicates that sulphur dioxide levels are mostly below regulation limits, nitrogen dioxide is significantly above the limit in some areas, and ozone levels in most places exceed recommended limits.

577. As it stands today, the monitoring network is not an adequate basis for formulating a national air quality management programme. Therefore, Israel has just completed the draft plan of a multi-million-dollar national air monitoring network with a central data storage and display centre. The new network will comprise three operational levels - local monitoring stations, regional control centres and a national data processing centre. Monitoring stations will vary according to the pollutants likely to be found. Fifty new stations are planned to reinforce the existing 63. The network is to be constructed over a three-year period.

Farmland contamination

578. Three major groups of pollutants endanger farmland - fertilizers, heavy metals, pesticides and other organic additives.

579. The overuse or improper management of fertilizers results in soil pollution, mostly by nitrates. The pollution of drinking water sources by nitrates leaching from farmland has already been recorded. The accumulation of nitrates in edible crops is an obvious danger.

580. The main source of heavy metals in farmland is irrigation with polluted water or the application of contaminated solid additives. The high pH value of soil in Israel reduces the danger of plant uptake of, and water contamination by, heavy metals.

581. The use of pesticides imposes an obvious danger of toxic traces remaining in edible crops, as well as posing a risk to farmers. Residues in soil may reach water sources or be taken up by crops or other components of the soil biota, and thus reach the food chain.

Preventive care

582. The chief means of preventing infectious diseases is the vaccination programme administered by Mother and Child Clinics to neonates and toddlers. Population coverage is among the highest in the world, as stated above "Immunization".

583. In addition, cases of bacterial meningitis (meningococcal and H. influenza b) or hepatitis A, all the patient's contacts are treated by preventive measures, administered without payment by District Health Office (DHO) staff. The DHOs also monitor sanitary conditions in children's residential institutions and nursing homes to prevent illness spread by fecal-oral routes. On every report of a food-borne outbreak, DHO staff track down the source of the outbreak and take the necessary steps to improve conditions.

584. Under article 15 of the People's Health Ordinance 1940, the Director-General of the Ministry of Health or a District Health Office have the power to have any person infected with an infectious disease placed in a hospital for infectious diseases or other appropriate form of isolation, should his/her current accommodation not permit taking the precautions necessary to contain the spread of the disease.

Vulnerable groups

585. Until the end of 1994, most residents of the State of Israel were insured voluntarily in four health funds which provided medical services to 95 per cent of the population, each fund having its own particular conditions of coverage. About 200,000-300,000 persons (including about 90,000 children) were not insured in any of these funds, some of them of their own free will, preferring a private medical service, and others due to their inability to afford the monthly payment.

586. In addition to these four funds, there were (and still are) voluntary medical services available for the needy, both in the Jewish sector, mainly in ultra-orthodox circles, and in the non-Jewish sector, in charity organizations run by the various churches.

587. In January 1995 the Health Insurance Law came into effect, introducing far-reaching changes in the health system of Israel, especially in terms of equality in enjoyment of health services. One of the foremost changes was that every resident in Israel became obliged to insure him/herself in health insurance. (The definition of "resident" being the one used in the National Insurance Institute.) A person who wishes to be insured above and beyond what is provided by the basic "basket of services" defined in the law may arrange for additional, supplementary insurance by means of programmes offered by the health funds and authorized by the Ministry of Health and by the supervisor of insurance in the Ministry of Finance. The operation of the supplementary insurance programmes is closely followed and supervised by the State authorities in order to ensure that the services included therein are indeed provided in addition to the basic basket, and not instead of them.

588. Furthermore, the health funds very quickly improved their services, especially within Arab communities, in order to raise their number of members and accordingly - their funding (which the law sets by a per capita formula). Since 1993 the Ministry of Health spent about 6.5 million NIS (approximately $1.8 million) in building tens of new Mother and Child Health Care services in Arab towns and villages. The Ministry's budgets during the same period also included a sum of about 9.7 million NIS (approximately $2.7 million), aimed at "closing the gaps within Arab sector" in the field of preventive care.

589. The Ministry of Health is working intensively to reduce the Israeli Arab infant mortality rate, which is higher than among Jewish Israelis. The infant mortality rate is indeed a product of socio-economic conditions. For instance, an important reason for the gap on this indicator between Jews and non-Jews is the much higher rate of marriage between close relatives among Arabs, and particularly among Bedouin, as compared to Jews, so that the rate of congenital defects in Arab neonates is very high.

590. In the framework of the Ministry's education/information project to reduce the incidence of very young wives giving birth and to reduce infant mortality in high risk groups, an information/education campaign is being conducted on the results of inter-familial marriage. Several mobile Family Health Clinics travel among the nomadic Bedouin tribes in the south and Arab settlements of the north in an "outreach" campaign, one of whose main efforts is to raise immunization coverage for neonates and children. It should be noted that immunization coverage among the Arab population as a whole is very high - over 95 per cent.

591. One prong of the project attempts to discourage marriage among close relatives; another attempts to encourage pregnant women to make more use of in utero diagnostic procedures; and a third aims to encourage mothers to make more use of the Mother and Child Health Care services dispersed throughout the country. One cannot measure the short-term results of such projects. More time is required before measurable results are to be expected.

592. Nevertheless, the overall health-care situation of the Bedouin, living mainly in the sparsely populated areas of the south of the country, is worse than that of the general population. The radical solution is their transfer to permanent settlements, which is current national policy. Detailed analysis of this topic is provided in this report under article 11 of the Covenant ("Illegal Settlements").

593. In the interim, the following special measures are being taken:

- Every Bedouin school has running water installed;
- Every Bedouin encampment is connected on request to the Mekorot pipe-system;
- The quality of Mekorot-supplied water is regularly sampled;
- Leaflets are distributed explaining how to prevent infection via the water supply between standpipe and the encampment and within the encampment.

Community participation

594. Eighteen Israeli towns are participants in the Healthy Cities Project, whose objectives are as follows:

(a) To eliminate or reduce health status disparities between population groups;

(b) To help develop preventive medicine;

(c) To promote health.

595. All measures are based on a local needs assessment and are carried out with the cooperation of local citizens. Each participating town prepares a health profile of the town and then appoints a Project Steering Committee, comprising representatives of all health-care service providers in the town (including volunteers) and of the public. The committee reviews the health status profile and then defines needs and the priority between them.

596. Local Community Centres in Israel also run health promotion programmes.

Health education

597. The relatively high rate of HIV infection among Ethiopian Jews in Israel has persuaded the Government to allocate an NIS 4.5 million budget to a multi-project AIDS prevention plan. The planned projects are targeted at three groups of population:

(a) HIV patients and carriers. Coordinators from the Ethiopian community will make contact with all HIV patients and carriers in their local communities. They will help them communicate with the professionals at the local AIDS Treatment Centre and educate them in ways to avoid spreading the disease, principally by teaching safe sex;

(b) The Ethiopian community at large. Health education projects for schools, the army, and higher educational institutions are planned. The mass media will also be used;

(c) Israeli (non-Ethiopian) care-givers. Seminars will be conducted periodically for teachers, social workers, health-care professionals, and workers in immigrant absorption who come into contact with Ethiopians. The aim is to help the professionals understand Ethiopian culture and thus enable them to be more sensitive and effective in their dealings with Ethiopian clients.

598. Projects are under way in the towns Afula, Hadera, and Beersheva, among the non-Jewish population, to discourage marriage between close relatives and to encourage the acceptance of antenatal screening for congenital defects.

Article 13 - The right to education

The legal framework

599. Education constitutes an important value in Israeli society. In the words of the Supreme Court of the State of Israel:

> "Education is indeed a social instrument, the importance of which cannot be overstated. It is one of the most important functions of government and of the State. Education is vital for the existence of a free, living and functioning democratic system. It is a necessary element, which is required for anyone's self-fulfilment. It is vital for the existence of society, where people live and take action to improve their personal welfare, and contribute thereby to the well-being of the entire community. ... Education is undoubtedly an important tool in securing the rights and liberties of every individual, and in realizing his basic political rights, including freedom of speech, and the right to elect and to be elected."
> H.C. 1554/95 Friends of "GILAT" Association v. Minister of Education and Culture, Takdin-Supreme, vol. 96 (2) 457.

600. The inclusion of "freedom of education" among the values enshrined in Israel's Declaration of Independence serves as further evidence to the importance attributed to education in Israel.

601. The basic components of the right to education - the right of every child to receive free education, and the parents' right to choose the kind of education given to their children, has been guaranteed by one of the first legislative acts of the Knesset, the Compulsory Education Law 1949. According to this law, compulsory education applies to all children between the ages of five (compulsory kindergarten) and 15 (10th grade) inclusive, and it is to be provided free of charge. In addition, the law provides for free education for adolescents aged 16 and 17 (11th-12th grades), as well as for 18-year-olds who did not complete their schooling in 11th grade in accordance with the official curriculum. While the State has sole responsibility for the provision of free education, the maintenance of official educational institutions is the joint responsibility of the State and the municipal education authorities. Parents have the right to choose one of the recognized educational trends of education (State or State-religious) for their children. (See below.) They also have the right to send their children to independent parochial schools, which are not run by the State, but are under its supervision.

602. Important additions to the original version of this law include a prohibition against discrimination on sectarian basis in acceptance, placement, and advancement of pupils as well as a prohibition against punishing pupils for actions or omissions on the part of their parents.

603. Another important law is the State Education Law 1953. This law provides for a six-day school week and determines the content and procedures of State education. State education is defined as education provided by the State on the basis of the curriculum approved and supervised by the Ministry of Education and Culture, without any affiliation to a party, communal body, or any other non-government organization. According to the law, State

education is to be based on the values of Israel's culture, the achievements of science, love of the homeland, loyalty to the State and people of Israel, heroism and remembrance of the Holocaust, practice in agricultural work and handicrafts, pioneer training, and building a society on the foundations of freedom, tolerance, mutual assistance and love of mankind.

604. The law establishes two State education trends: State and State-religious education. State-religious education is identical in its structure to the ordinary State education system, but offers a more religious oriented curriculum and usually employs a mostly religious teaching staff. This law enables the Minister of Education, Culture and Sport to approve increasing the existing curriculum by up to 25 per cent, if 75 per cent of the parents request it.

605. Other relevant laws are:

- The Council for Higher Education Law 1958 - which establishes a council responsible for authorizing and accrediting institutions for higher education to award degrees.
- The School Inspection Law 1968 - which regulates the terms for operation of schools existing outside the ordinary school system.
- The Special Education Law 1988 - which establishes a separate education system designed to meet the needs of children with disabilities.
- The Long School Day Law 1990 - which defines the length of the school day.

606. A separate legal regime applies vis-à-vis pupils with physical or mental disabilities. The Special Education Law 1988 prescribes free education for all such children and adolescents from the ages of five to 18. According to this law by 1998, free special education for disabled individuals will be expanded to include those aged 3 to 21.

607. In 1990, the Knesset enacted the Long School Day Law 1990 designed to guarantee more school hours for all pupils in the K-12 grades. The law stipulates that the duration of the school day shall be eight hours, or less as decided by the Minister of Education and Culture. For budgetary reasons, the law is to be gradually implemented over a period of 10 years.

608. In 1996, the total number of children enrolled in the education system under the supervision of the Ministry of Education, Culture and Sport reached about 1,490,000 - from the pre-primary level to the end of secondary school. Other eligible pupils attend schools supervised by the Ministry of Religious Affairs and by the Ministry of Labor and Social affairs. Combined with the above figures, it is estimated that nearly 100 per cent of the children in the primary school age group attend school, as do over 90 per cent of the adolescents eligible for secondary education.

The constitutional status of the right to education

609. While it is impossible to contest the legal existence of the right to education, the scope of constitutional protection accorded to it has not yet been defined by the courts of Israel. On one occasion, a Supreme Court judge held that the right to education is not a constitutional right, citing the absence of a positive constitutional rule to that effect. However, the President of the Supreme Court in a recent case expressed the opinion that the matter is not yet settled and that the above-mentioned judicial opinion is not binding upon the full court.

Structure of the education system

610. The Israeli education system includes several main levels: pre-primary, primary, secondary, post-secondary, higher education and adult education.

Pre-primary education

611. The pre-primary education system consists of a network of kindergartens. In 1996, the kindergarten system involved 320,000 children ranging from age two to five years, attending municipal, public and private institutions. Younger children normally attend similar day-care institutions, or are put under the supervision of nannies. The goal of early childhood education is to lay an educational foundation, which includes the development of language and thought, learning and creative abilities, social and motor skills.

Primary and secondary education

612. Until 1968, the school system of Israel was divided into primary school (1st-8th grades) and high school (9th-12th grades). In 1968, a reform was decided upon which divided the system into three educational institutions:

(a) Primary school (1st-6th grade);

(b) Lower secondary school (7th-9th grade);

(c) Upper secondary school (10th-12th grade).

613. The purpose of the reform was to improve scholastic achievements and encourage social integration of various sectors of society. At the same time, the period of compulsory education (which used to be 9 years - from compulsory kindergarten to the 8th grade) was extended until the 10th grade (inclusive), bringing the total period compulsory education to 11 years. The reform was, and still is, being implemented slowly, and in 1996 27 per cent of the pupils were still attending schools according to the old system. In upper secondary education, pupils can choose between academic and technological/ vocational tracks. In any case, all tracks are generally available and accessible to all, and are free of charge.

Higher education

614. The higher education system in Israel comprises eight universities (including the Open University in Tel-Aviv). In addition, there are several other non-university institutions of higher education which award Bachelor's

degrees in several specific areas only, such as business administration, law, technology, arts and crafts, and teacher training. The system also includes regional colleges which offer academic courses under the auspices and academic responsibility of the universities.

615. A recent feature of the higher education system in Israel is the establishment of general colleges providing a broad spectrum of degree programmes at the undergraduate level. These colleges are being established to meet the increasing demand for higher education which is expected to continue and grow in the first decade of the twenty-first century.

616. Admission to universities and colleges is based upon the high school matriculation certificate and the results of a psychometric examination, without any discrimination on grounds of religion, sex, nationality or any other consideration except academic achievements. Matriculation examinations are administered in Hebrew, Arabic, English, Russian, French and Amharic (Ethiopian), or in other languages if so required. Psychometric examinations are administered in the following languages: Hebrew, Arabic, English, Russian, French or Spanish.

617. University and college education is not free of charge. University tuition is determined in accordance with the decision of a public committee. At present the average undergraduate tuition fees is about 10,000 NIS (approximately $3,000) per annum and may be paid in advance or in instalments. There is a national network of assistance to students in need of aid for socio-economic reasons. This comes in addition to a wide range of public and private foundations that award grants, scholarships and loans. Colleges are considered private institutions and thus their tuition fees are determined by market forces.

Adult education

618. Adult education plays an important role in the educational process. It offers programmes targeted to all population sectors for continuing primary, secondary, pre-academic (university preparatory programmes) and academic education. Furthermore, in Israel, adult education has a special importance since Israel is an immigrant country, absorbing immigration from all parts of the world. Hence, special language and cultural studies are given in new immigrants' schools. All of these activities are carried out by the Ministry of Education, as well as by a wide range of non-governmental organizations and institutions.

619. The objectives of the Ministry of Education, Culture and Sport in the area of adult education are:

- To inculcate the Hebrew language and its culture in new immigrants, and in particular, to divert specific resources for the absorption of Ethiopian immigrants in the area of language, culture and education within Israeli society.

- To narrow the educational gaps within the adult population in Israel; to expand the frameworks of primary and secondary education in all population sectors.

- To expand the knowledge and horizons of the adult student, and to provide him/her with opportunities to enrich the areas of his/her interest, inter alia, through the development of hobbies and creative talents.

- To provide tools for developing skills that will improve adults' functioning in their various roles within the family and community.

620. As a result of the availability of a complementary system of fundamental education, and due to the improved enforcement of the Compulsory Education Law, the number of persons with four or less years of formal education decreased among the non-Jewish population, from 28.9 per cent in 1980 to 15.9 per cent in 1994, while among the Jewish population, the numbers fell respectively from 10.3 per cent to 5.4 per cent.

Organizational difficulties in realizing the right to education

621. While virtually everyone within the eligible age group attends primary school, as far as secondary education is concerned, there is a drop-out problem, especially in the non-Jewish sector.

622. The policy of the Ministry of Education is to make every effort to prevent youth from dropping out and to raise the percentage of those attending school. The stated objective is that every boy and girl, except in extreme cases, shall complete 12 full years of schooling. Schools are obligated by the Ministry's policy to assist and encourage every pupil to continue his/her studies through 12th grade, despite the fact that school attendance is not compulsory over the age of 16.

623. In recent years, preventing pupils from dropping out of formal studies has become one of the primary tasks of the education system. Schools are required to refrain from past practices of abetting unwanted pupils to leave school. Instead, schools should try to increase the pupils' endeavours in their studies and do all that they can to prevent them from dropping out. To further advance this policy goal, financial incentives are given by the Ministry to schools that succeed in reducing drop-out rates.

624. In cases where placement in an alternative educational framework would be for the pupil's benefit, the school is instructed by the Ministry to assist him/her in finding the most suitable alternative educational framework.

625. One of the main factors which influences the extent of the drop-out phenomenon is the transition between different educational frameworks. The most problematic transitions are:

(a) From primary schools to lower secondary schools/four-year secondary schools;

(b) From lower secondary schools to upper secondary schools;

(c) Between classes in the upper secondary school.

626. One of the stated purposes of the 1968 reform was to postpone the transition from elementary school to high school from 8th to 9th grade. With regard to higher education, budgetary difficulties prevent at present the granting of free education.

Statistical data

Literacy

627. The following tables introduce, in several disaggregated forms, the figures pertaining to the extent of formal education possessed by the adult population of Israel throughout the years 1961-1995. It divides the population by Jews and non-Jews, sex, age and country of origin. According to this data, in 1995 only 4 per cent of the total Israeli population lacked any formal primary education.

Persons aged 15 and over, by population group, years of schooling, sex and age a/

Sex and age	Years of schooling								Total b/	
	Median	16 +	13 - 15	11 - 12	9 - 10	5 - 8	1 - 4	0	Per cents	Thousands
	Jews									
1961	8.4	3.6	6.3		34.6	35.4	7.5	12.6	100.0	1,300.9
1970	9.3	4.9	8.1		39.7	31.7	6.3	9.3	100.0	1,809.6
1975	10.3	7.0	10.7	26.1	18.8	25.5	4.3	7.6	100.0	2,708.2
1980	11.1	8.5	12.3	30.4	17.2	21.3	3.9	6.4	100.0	2,315.8
1985	11.5	10.2	14.2	33.6	16.6	17.3	3.1	5.0	100.0	2,511.3
1990	11.9	12.2	16.0	38.0	13.5	13.7	2.4	4.2	100.0	2,699.3
1993	12.0	13.8	18.5	39.3	13.0	11.6	2.1	3.7	100.0	3,102.9
1994	12.1	14.6	19.3	37.3	12.6	10.8	2.0	3.4	100.0	3,181.1
TOTAL - 1995										
- Thousands		501.5	662.6	1,198.5	387.5	326.4	62.9	99.1	100.0	3,269.3
- Per cents	12.2	15.5	20.5	37.0	12.0	10.1	1.9	3.1	100.0	
AGE										
15 - 17	11.2	-	0.5	55.1	42.7	1.3	(0.3)	(0.1)	100.0	229.3
18 - 24	12.3	3.5	25.3	63.2	5.2	2.1	0.3	0.4	100.0	532.1
25 - 34	12.9	22.0	26.6	41.0	6.5	2.6	0.4	0.9	100.0	610.4
35 - 44	12.8	23.4	24.0	32.5	12.0	6.6	0.4	1.1	100.0	613.6
45 - 54	12.8	24.6	22.1	27.1	11.6	11.5	1.1	(2.0	100.0	452.5
55 - 64	11.6	15.2	17.6	24.0	10.9	19.6	5.0	7.7	100.0	335.5
65 +	9.6	9.5	12.9	18.7	12.9	28.7	7.0	10.3	100.0	495.9
Men - total	*12.3*	*17.4*	*18.8*	*38.0*	*12.6*	*9.7*	*1.8*	*1.7*	100.0	*1,588.0*
15 - 17	11.2	-	(0.8)	53.2	44.1	1.7	(0.2)	-	100.0	118.0
18 - 24	12.2	4.2	*21.4*	64.1	6.9	2.6	(0.4)	(0.4)	100.0	271.2
25 - 34	12.9	22.9	24.7	40.0	7.6	3.6	(0.5)	0.7	100.0	307.9
35 - 44	12.8	25.5	21.8	32.5	12.4	6.6	0.4	0.8	100.0	302.2
45 - 54	12.7	27.2	19.3	28.4	12.2	10.6	0.8	1.5	100.0	219.8
55 - 64	11.9	19.4	16.7	25.2	10.3	20.4	4.4	3.6	100.0	156.6
65 +	10.4	13.1	13.9	19.7	11.5	28.2	7.3	6.3	100.0	212.2

(continued)

Sex and age	Years of schooling								Total b/	
	Median	16 +	13 - 15	11 - 12	9 - 10	5 - 8	1 - 4	0	Per cents	Thousands
	Jews									
Women - total	*12.2*	*13.6*	*22.0*	*36.2*	*11.4*	*10.4*	*2.1*	*4.3*	100.0	*1,681.3*
15 - 17	11.3	-	(0.2)	57.2	41.2	(1.0)	(0.3)	(0.1)	100.0	111.4
18 - 24	12.4	2.9	29.4	62.0	3.4	1.6	(0.2)	(0.5)	100.0	260.8
25 - 34	13.0	21.1	28.5	42.1	5.3	1.6	(0.4)	1.0	100.0	302.5
35 - 44	12.8	21.4	26.0	32.7	11.5	6.5	(0.4)	1.5	100.0	311.4
45 - 54	12.8	22.1	24.8	26.1	10.9	12.2	1.4	2.5	100.0	232.6
55 - 64	11.3	11.5	18.4	22.9	11.3	19.0	5.5	11.3	100.0	178.8
65 +	9.1	6.8	12.1	17.9	13.9	29.3	6.7	13.3	100.0	283.8
	Arabs and others									
1961	1.2	1.5			7.6	27.5	13.9	49.5	100.0	136.3
1970	5.0	(0.4)		1.7	13.0	35.1	13.7	36.1	100.0	223.2
1975	6.5	1.4	3.1	9.1	12.6	38.0	12.9	22.9	100.0	279.8
1980	7.5	2.2	5.5	13.5	16.0	33.9	10.0	18.9	100.0	344.5
1985	8.6	2.5	5.9	19.2	19.3	32.0	7.7	13.4	100.0	428.2
1990	9.0	3.0	6.1	23.2	17.4	30.8	6.5	13.0	100.0	502.0
1993	9.7	3.7	7.4	26.4	18.9	26.5	6.2	10.9	100.0	579.2
1994	10.0	4.3	8.4	27.8	18.4	25.1	5.9	10.0	100.0	607.9
TOTAL -										
- Thousands		23.9	60.7	177.5	120.1	151.5	36.7	56.2	100.0	533.9
- Per cents	10.2	4.6	9.6	28.1	19.0	24.0	5.8	8.9	100.0	
AGE										
15 - 17	10.5	-	0.2	38.3	46.5	12.2	(1.0)	(1.8)	100.0	69.8
18 - 24	11.6	2.2	15.8	44.8	18.5	15.5	1.3	1.9	100.0	150.5
25 - 34	11.0	7.5	10.6	32.4	20.6	24.2	2.3	2.4	100.0	167.8
35 - 44	9.0	6.8	10.6	17.4	14.9	37.8	6.5	6.0	100.0	107.5
45 - 54	7.0	5.9	7.5	9.8	9.4	34.3	14.8	18.3	100.0	64.3
55 - 64	4.7	3.8	5.9	6.2	5.1	27.2	21.2	30.6	100.0	40.2
65 +	1.1	(1.5)	(2.4)	6.3	4.6	17.2	15.3	52.7	100.0	33.7
Men - total	*10.6*	*5.9*	*9.4*	*30.6*	*20.6*	*24.4*	*5.0*	*4.1*	100.0	*315.7*
15 - 17	10.5	-	(0.2)	37.1	46.4	13.4	(1.3)	(1.6)	100.0	35.7
18 - 24	11.6	2.2	*15.6*	45.0	20.3	14.9	(1.1)	(0.9)	100.0	76.4
25 - 34	11.3	9.1	9.3	37.1	21.2	20.8	(1.4)	(1.1)	100.0	83.9
35 - 44	10.2	9.7	11.0	21.8	17.8	33.2	3.4	3.1	100.0	53.2
45 - 54	8.1	8.9	7.9	10.6	12.5	44.3	10.7	5.1	100.0	32.1
55 - 64	6.5	(5.1)	(5.8)	8.8	(6.5)	37.8	23.0	13.0	100.0	19.5
65 +	3.5	(2.5)	(1.5)	(5.6)	(3.6)	27.7	24.5	34.6	100.0	14.9
Women - total	*9.7*	*3.2*	*9.9*	*25.7*	*17.4*	*23.6*	*6.6*	*13.6*	100.0	*318.2*
15 - 17	10.6	-	(0.2)	39.5	46.5	11.1	(0.7)	(2.0)	100.0	34.1
18 - 24	11.6	2.2	15.9	44.7	16.7	16.1	(1.5)	2.9	100.0	74.1
25 - 34	10.6	5.9	11.8	27.8	20.1	27.6	3.2	3.6	100.0	83.9
35 - 44	8.0	3.9	10.2	13.0	(12.0)	42.7	9.5	8.7	100.0	54.3
45 - 54	4.9	(2.9)	7	9.0	6.4	24.2	18.9	31.6	100.0	32.2
55 - 64	1.6	(2.5)	(6.1)	(3.8)	(3.8)	17.2	19.6	47.0	100.0	20.8
65 +	0.7	(0.6)	(3.0)	(6.8)	(5.4)	8.9	8.2	67.1	100.0	18.8

Source: Central Bureau of Statistics.

a/ Till 1985 - Persons aged 14 and over.

b/ Incl. Not known.

Attendance rates in the education system

628. The following tables reveal the gradual increase in the number of pupils in the Israeli education system. The first table shows the current number and rate of attendance in State schools. The second table presents the 1996 figures on the number of primary and secondary education pupils divided into four education sectors (the Jewish, Arab, Bedouin and Druze sectors). The third table reflects the increase in number of students in all educational institutions; the fourth table deals with primary and secondary education only, and illustrates the changes in number of Jewish and non-Jewish pupils in every school grade, throughout the years.

Number of students enrolled in 1996 in the pre-school, primary and secondary education system and their percentage in their total age group population:

Pre-school education	Primary education	Secondary education	
Kindergartens (ages 2-5)	Primary School (Grades 1-8)	Lower Secondary (Grades 7-9)	Upper Secondary (Grades 9-12)
320,000	690,000	193,000	288,000
(90%)	(96%)		(90%)

	Free and compulsory education	Free education
ages 1-5	ages 5-16	ages 16-18

Source: Ministry of Education, Culture and Sport and the Central Bureau of Statistics.

629. The above figures do not include pupils attending Talmud-Torah (Orthodox Jewish) pre-schools, and institutions under the supervision of the Ministry of Religious Affairs and the Ministry of Labor and Social Affairs (vocational and industrial schools).

Number of pupils in schools by sector and by level, 1996 (thousands of pupils)

Sector	Total	Primary education	Lower secondary education	Upper secondary education
Total	1 171	690	193	288
Jewish	938	540	152	246
Arab	169	108	28	33
Bedouin	36	26	6	4
Druze	28	16	7	5

* The figures in this table do not include kindergartens and higher education.

630. There are approximately 1,170,000 pupils in schools: about 80 per cent of them are in the Jewish sector, about 14 per cent are in the Arab sector, about 3 per cent in the Bedouin sector, and about 2 per cent in the Druze sector.

Pupils in educational institutions

	1995/96	1994/95	1979/80	1969/70	1959/60	1948/49
1. GRAND TOTAL (2 + 12)	1,721,303	1,684,456	1,200,638	823,491	578,003	140,817
Educational system (3 + 12)	1,656,247	1,592,465	1,156,636	797,191	567,051	140,817
Other institutions (11)	58,793	56,200	44,000	26,300	10,952	
Hebrew education						
2. TOTAL (3 + 11)	1,451,939	1,428,882	1,023,410	711,954	531,923	129,688
3. EDUCATIONAL SYSTEM TOTAL (4 through 10)	1,393,139	1,372,682	979,410	685,654	520,971	129,688
4. KINDERGARTENS a/	289,100	288,900	246,500	107,668	75,699	25,406
5. PRIMARY EDUCATICN - TOTAL	540,821	540,254	436,387	394,354	375,054	91,133
Primary schools	528,429	527,328	424,173	375,534	357,644	91,133
Schools for handicapped children	12,392	12,926	12,214	18,820	17,410	
POST-PRIMARY EDUCATION b/ - TOTAL (5+7)	391,794	384,328	216,602	137,344	55,142	10,218
6. Intermediate schools	150,804	142,750	72,792	7,908	-	-
7. Secondary schools - total	240,990	241,578	143,810	129,436	55,142	10,218
secondary one-track	118,044	123,790	91,138	98,591		
secondary multi-track	122,946	117,788	52,672	30,845		
Type of secondary education						
General	122,283	121,385	61,583	63,731	32,894	7,168
Continuation classes	9,478	8,918	6,438	8,508	7,065	1,048
Technological/vocational	102,716	104,436	70,681	49,556	10,167	2,002
Agricultural	6,513	6,839	5,108	7,641	5,016	
8. POST-SECONDARY INSTITUTION3	46,514	42,548	25,341	11,894	5,801	1,295
9. NON UNIVERSITY INSTITUTIONS FOR HIGHER EDUCATION	23,210	19,402	-	-	-	-
10. UNIVERSITIES	101,700	97,250	54,480	35,374	9,275	1,635
11. OTHER INSTITUTIONS	58,800	56,200	44,000	26,300	10,952	-
for primary education c/	26,300	18,800	10,500	-	-	-
for post-primary education age d/	18,300	25,000	25,700	-	-	-
for post-secondary education age e/	14,200	12,400	7,800	-	-	-
Arab education						
12. EDUCATIONAL SYSTEM - TOTAL (13 through 17)	269,364	255,574	177,225	110,537	46,080	11,129
13. KINDERGARTEN f/	26,100	26,100	17,344	14,211	7,274	1,214
14. PRIMARY EDUCATION - TOTAL	152,544	145,416	121,985	85,449	36,729	9,991
Primary schools	150,083	143,158	121,101	85,094	36,652	9,991
Schools for handicapped children	2,461	2,258	884	355	77	-

	1995/96	1994/95	1979/80	1969/70	1959/60	1948/49
POST-PRIMARY EDUCATION - TOTAL (15 + 16)	88,494	82,312	37,276	10,507	1,958	14
15 Intermediate schools	44,984	39,699	14,803	2,457	-	-
16 Secondary schools - total	43,510	42,613	22,473	8,050	1,958	14
Secondary one-track	15,929	19,277	17,373		1,958	14
Secondary multi-track	27,581	23,336	5,100		-	-
TYPE OF SECONDARY EDUCATION						
General	30,124	31,928	19,034	6,198	1,933	14
Technological/vocational	12,765	10,070	2,645	1,462	-	-
Agricultural	621	615	794	390	23	-
17 POST-SECONDARY INSTITUTIONS - TOTAL	2,226	1,746	621	370	121	-
Teacher training colleges	1,598	1,193	485	370	121	-
Other post-secondary institutions	628	553	136			-

Source: The Central Bureau of Statistics

a/ Incl. an estimate of children aged 6 (about 4,100 in 1995/96) who attend kindergartens

b/ Incl. also students in these institutions who study toward a first academic degree

c/ Religious schools

d/ Pupils in apprentices schools and in industrial schools of the Ministry of Labor and Social Welfare and pupils in "Small Yeshivot"

e/ "Great Yeshivot"

f/ Compulsory only

Pupils in primary and post-primary education, by grade

	1995/96	1994/95	1989/90	1979/80	1969/70	1959/60	1948/49
GRAND TOTAL	1,173,663	1,152,310	1,006,935	812,250	603,716	461,491	108,131
	Hebrew education						
VIII - total	76,598	77,780	72,394	54,212	49,570	38,431	7,335
Thereof: intermediate schools	50,395	49,518	42,562	25,047	2,279	-	-
Special primary classes of unspecified grade	3,287	3,506	3,088	2,013	4,087	3,381	-
IX - total	75,208	73,902	67,446	51,584	43,926	21,841	4,461
Thereof: intermediate schools	48,283	44,073	38,318	22,667	-	-	-
X	72,163	70,814	62,426	44,857	35,402	15,263	2,936
XI	69,712	70,862	57,654	37,211	28,902	10,707	1,896
XII - total	67,515	65,544	52,735	31,316	20,503	6,581	925
Thereof: in secondary (1) general	35,279	34,227	25,956	14,557	13,363	4,256	
XIII	3,468	3,479	2,456	1,155	435	-	-
XIV	1,207	1,050	740	354	268	-	-
	Arab education						
Total	*241,038*	*227,728*	*207,807*	*159,261*	*72,018*	*31,905*	*6,780*
I	27,070	23,668	20,611	18,931	11,328	6,219	2,012
II	23,943	22,585	19,549	18,448	10,927	5,403	1,346
III	23,142	22,556	19,674	17,879	9,639	5,081	1,179
IV	23,239	21,611	19,314	17,634	8,972	3,921	959
V	22,010	22,082	20,303	16,651	8,314	2,860	608

	1995/96	1994/95	1989/90	1979/80	1969/70	1959/60	1948/49
VI	22,524	21,270	20,521	15,065	7,036	2,802	375
VII - total	21,005	19,738	19,962	14,280	5,981	2,679	231
Thereof: intermediate schools	16,082	14,220	10,103	5,383	466	-	-
VIII - total	20,875	19,480	19,556	13,582	4,679	1,888	56
Thereof: intermediate schools	15,640	13,717	10,208	5,151	321	-	-
Special primary classes of unspecified grade	458	363	20	49	50	23	-
IX - total	18,818	16,725	16,639	8,748	2,491	465	14
Thereof: intermediate schools	14,080	11,762	8,617	4,269	-	-	-
X	14,296	14,687	13,066	7,067	1,224	209	-
XI	12,211	12,001	9,984	4,633	842	186	-
XII - total	11,286	10,795	8,550	3,743	535	139	-
Thereof: in secondary general	8,193	8,100	6,575	3,171	469	139	-
XIII	161	167	58	-	-	-	-

Source: The Central Bureau of Statistics.

(1) Excl. pupils in continuation classes (2,543 in 1994/95 and 2,836 in 1995/96).

Adult education

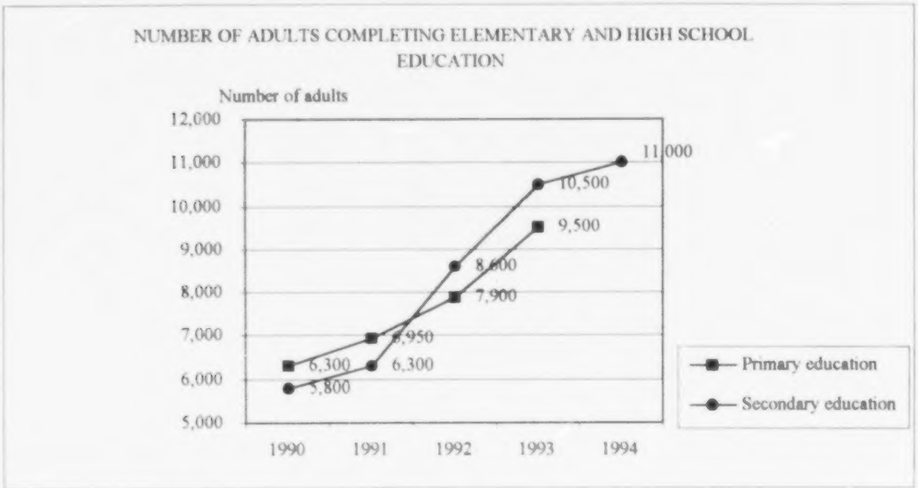
631. The first of the following tables illustrates the number of adults engaged in elementary/remedial education (primary and secondary), pre-academic and academic special adults' programmes and immigrant absorption programmes. The second table shows the annual growth in the number of adults who complete their primary and secondary education.

Participation in adult education

	Pre-Academic Preparatory Programmes	Immigrant Absorption Programmes	Primary Education	Secondary Education	Popular Universities
1990	6 001				
1991	6 784	138,152			19,276
1992	7 669	116,985	6,300	5,800	20,190
1993	7 789	77,871	6,950	6,300	23,368
1994	7 807	64,304	7,900	8,600	28,684
1995	8 588	67,304	9,500	10,500	31,349
1996 (forecast)		68,000		11,000	

Source: Central Bureau of Statistics and the Ministry of Education, Culture and Sport.

632. The increase in number of participants in elementary Hebrew language class programmes during the early 1990s is due to the dramatic influx of immigrants from the former Soviet Union to Israel in that period.



Source: Ministry of Education, Culture and Sport.

Higher Education

633. The following tables show the number of students in higher education institutions, and their disaggregation by degree, field study, sex, age, population group and origin.

Number of Students in Institutions of Higher Education

	1990	1994	1995	1996	1997
Total Students	76,000	108,300	116,000	123,000	135,000
Students in Colleges	8,300	16,800	19,400	28,000	36,500
Students in Universities	67,700	91,500	96,600	95,000	98,500

Source: Central Bureau of Statistics.

634. By the year 2000, an increase of 16 per cent over 1995 is expected in the number of students in institutions of higher education. Most of the increase is expected to be in enrolment to colleges.

Students in universities, by degree, field of study, sex, age, group and origin

Per cents

	1992/93										
	Engineering and architecture	Agriculture	Sciences and mathematics	Medicine a/	Law	Social sciences	Humanities	Total	1989/90	1984/85	1974/75
FIRST DEGREE - TOTAL	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Thereof: women	18.2	41.2	44.3	71.4	46.6	55.9	74.0	54.0	51.3	48.3	44.8
Age											
Up to 19	12.4	2.3	13.0	8.4	7.2	4.6	5.4	7.6	7.3	6.4	6.9
20 - 21	17.4	7.5	24.3	20.4	19.6	17.4	18.7	19.0	17.6	16.6	23.5
22 - 24	36.1	44.8	43.1	45.6	44.2	46.4	39.5	42.2	39.8	37.2	41.3
25 - 29	30.4	39.5	17.3	17.5	23.7	22.0	20.9	22.2	24.5	24.7	18.2
30 - 34	2.8	4.6	1.6	3.0	2.6	3.8	5.3	3.7	5.1	7.2	4.0
35 +	0.8	1.3	0.7	5.0	2.4	5.9	10.1	5.3	5.7	7.9	6.0
Population group											
Jews	95.1	98.3	91.8	92.5	94.0	96.1	91.9	93.8	93.3	92.1	96.5
Arabs & Others	4.9	1.7	8.2	7.5	8.0	3.9	8.1	6.2	6.7	7.9	3.5
ORIGIN (OF JEWS) - TOTAL	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Israel	31.5	43.7	30.0	31.5	39.1	32.6	29.0	31.5	28.8	19.2	7.9
Asia - Africa	23.0	17.4	20.7	20.1	19.5	28.4	31.8	26.3	27.9	27.1	18.3
Europe - America	45.5	38.9	49.3	48.4	41.4	39.0	39.2	42.3	43.3	53.7	73.8
SECOND DEGREE - TOTAL	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Thereof: women	21.7	46.8	48.7	49.8	38.4	52.9	73.7	53.5	50.3	46.8	35.2
Age											
Up to 24	11.6	11.9	28.9	25.6	15.4	9.2	6.6	13.2	13.6	12.4	22.8
25 - 29	51.7	51.3	53.2	46.5	46.8	48.2	28.6	44.1	44.1	42.0	52.2
30 - 34	22.3	16.4	12.5	13.9	21.4	19.6	17.1	17.7	19.4	21.8	11.2
35 - 44	12.0	16.7	4.6	10.5	13.4	17.3	27.8	17.1	18.3	16.7	
45 +	2.3	3.8	0.8	3.5	3.0	5.6	19.9	7.9	4.6	7.1	13.8
Population group											
Jews	98.2	97.5	96.9	94.6	97.0	98.4	96.2	97.2	96.7	96.8	98.7
Arabs & Others	1.8	2.5	3.1	5.4	3.0	1.6	3.8	2.8	3.3	3.2	1.3

(continued)

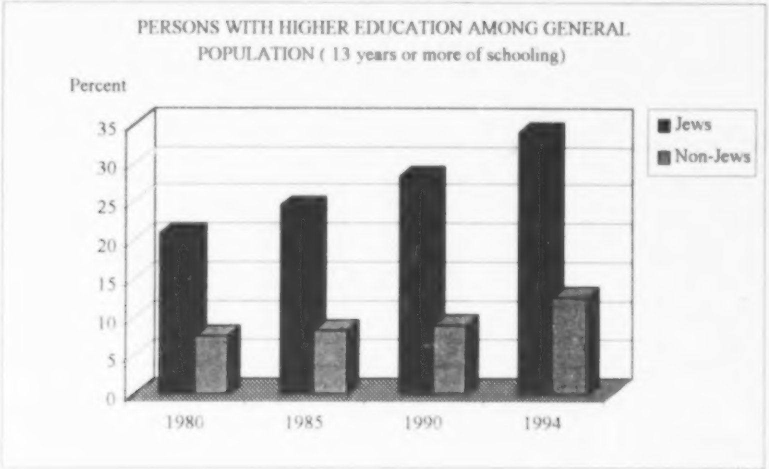
	1992/93										
	Engineering and architecture	Agriculture	Sciences and mathematics	Medicine a/	Law	Social sciences	Humanities	Total	1989/90	1984/85	1974/75
ORIGIN (OF JEWS) - TOTAL	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Israel	23.8	31.4	29.7	26.3	32.5	29.0	22.7	27.0	22.9	13.1	6.4
Asia - Africa	20.5	20.4	18.3	18.9	18.1	24.4	25.2	22.3	19.9	16.5	11.2
Europe - America	56.8	48.2	52.0	56.8	49.4	46.6	52.1	50.8	57.2	70.4	82.4
THIRD DEGREE - TOTAL	100.0	100.0	100.0	100.0		100.0	100.0	100.0	100.0	100.0	100.0
Thereof: women	21.0	42.9	41.3	65.4		46.1	54.4	43.8	41.3	39.7	25.9
Age											
Up to 29	23.2	25.0	40.9	29.6		13.0	7.0	26.6	25.6	21.6	48.2
30 - 34	42.2	28.7	39.2	27.3		26.0	17.6	32.0	35.1	32.6	25.4
35 - 44	29.6	26.7	16.2	30.1		43.1	40.5	28.0	29.0	31.8	
45 +	5.0	9.6	3.7	13.0		17.9	34.9	13.4	10.3	14.0	26.4
Population group											
Jews	97.2	94.1	96.2	88.6		98.2	97.0	96.3	96.1	97.3	99.7
Arabs & Others	2.8	5.9	3.6	11.4		1.8	3.0	3.7	3.9	2.7	0.3
ORIGIN (OF JEWS) – TOTAL	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Israel	16.2	21.4	25.7	19.8		18.7	16.3	21.7	17.1	9.1	4.6
Asia – Africa	14.7	16.4	14.0	16.7		12.6	14.2	14.5	15.5	12.5	9.5
Europe – America	69.1	62.2	60.3	61.5		68.6	69.5	63.9	67.4	78.4	85.9

Source: Central Bureau of Statistics.

a/ Incl. paramedical courses.

635. The next table illustrates the increase over time in the percentage of Israelis with higher education.

Persons with higher education among the general population (13 years or more of schooling)



Source: Central Bureau of Statistics.

636. The number of persons with higher education among the Jewish population grew between 1980 and 1995 by about 63 per cent (from 20.8 per cent to 33.9 per cent); among the non-Jewish population, the number of persons with higher education grew about 65 per cent (from 7.7 per cent to 12.7 per cent).

Drop-out rates

637. The following data shows the scope of the problem of drop-outs and the continuing trend of reduction in the size of this phenomenon:

Number of children and youth not attending school
(Ages 6-17)
Children and youth

	1992	1993	1994	1995
Total	52 260	42 300	37 000	30 000

Percentage of children and youth not attending school

	1992	1993	1994	1995
Percentage	4.5%	3.6%	3.1%	2.5%

Source: Ministry of Education, Culture and Sport, based on Central Bureau of Statistics Data.

Attendance of 14-17 year olds in the Jewish education system - percentages

	1980	1985	1990	1994
Total	79.5	86.9	90.5	94.4
Boys	72.9	80.7	85.5	90.9
Girls	86.5	93.7	95.7	98.1

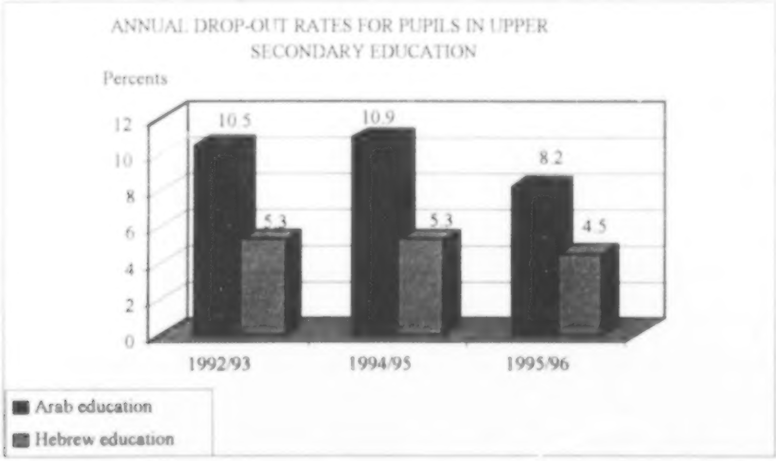
14-17 year olds in Arab education - percentages

	1980	1985	1990	1994
Total	51.3	62.1	62.8	66.4
Boys	58.0	65.6	66.4	65.2
Girls	44.0	58.1	58.9	67.5

Source: Central Bureau of Statistics.

* These figures relate only to pupils in institutions under the supervision of the Ministry of Education. If data from the Ministry of Labor and Social Affairs and the Ministry of Religious Affairs are added, the attendance rates will be higher.

Annual drop-out rates for pupils in upper secondary education



Source: Central Bureau of Statistics.

Pupils in grades IX-XII by grade and school leaving

	1994/95-1995/96				1993/94-1994/95		1991/92-1992/93	
	IX-XII		IX-XI		IX-XI		IX-XI	
	Per cent	Absolute numbers	Per cent	Absolute numbers	Per cent	Absolute numbers	Per cent	Absolute numbers
GRAND TOTAL	100.0	290 578	100.0	212 716	100.0	210 834	100.0	207 429
Did not leave school	91.5	265 925	88.6	188 428	87.3	183 985	86.6	179 634
Left school - total	8.5	24 653	11.4	24 288	12.8	26 849	13.4	27 795
Left the educational system (dropped out)	5.2	14 574	7.1	14 384	8.0	16 801	7.6	15 743
Dropped out								
at the end of school year	3.6	10 553	5.0	10 553	5.9	12 342	5.8	12 048
during the school year	1.4	4 021	1.8	3 831	2.1	4 459	1.8	3 695
Left for another school	3.5	10 079	4.7	9 904	4.8	10 048	5.8	12 052
	Hebrew education							
TOTAL	100.0	248 917	100.0	181 575	100.0	179 415	100.0	178 122
Did not leave school	91.7	228 210	88.8	161 162	87.7	157 432	87.2	155 264
Left school - total	8.3	20 707	11.2	20 413	12.2	21 983	12.8	22 858
Left the educational system (dropped out)	4.7	11 137	6.4	11 012	6.9	12 397	6.7	11 926
Dropped out								
at the end of school year	3.3	8 086	4.5	8 086	5.0	8 937	5.0	8 938
during the school year	1.2	3 051	1.6	2 926	1.9	3 460	1.7	2 988
Left for another school	3.8	9 570	5.2	9 401	5.3	9 586	6.1	10 932
	Arab education							
TOTAL	100.0	41 661	100.0	31 141	100.0	31 419	100.0	29 307
Did not leave school	90.5	37 715	87.6	27 268	84.5	26 553	83.2	24 370
Left school - total	9.5	3 945	12.4	3 875	15.5	4 866	16.8	4 937
Left the educational system (dropped out)	8.3	3 437	11.0	3 372	14.0	4 404	13.0	3 817
Dropped out								
at the end of school year	5.9	2 467	7.9	2 467	10.8	3 405	10.8	3 110
during the school year	2.3	970	2.9	905	3.2	999	2.4	707
Left for another school	1.2	509	1.6	503	1.5	462	3.8	1 120

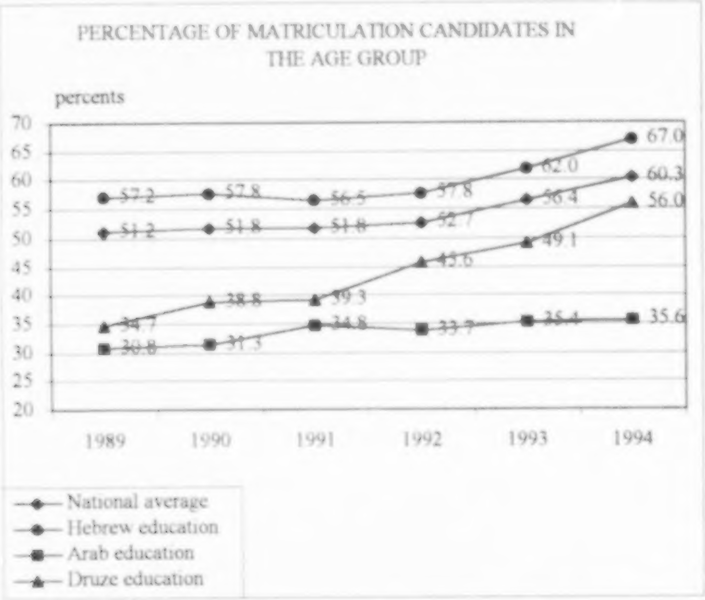
Source: Central Bureau of Statistics.

638. The total effect of these figures shows a clear trend of constant increase in the percentage of adolescent pupils who remain in school and a matching decrease in drop-out rates. This trend can be seen both in Jewish and Arab education sectors, and among both boys and girls. Since the 1990s, in both Jewish and Arab education sectors, the percentage of attendance among female pupils has been higher than that of male pupils every year.

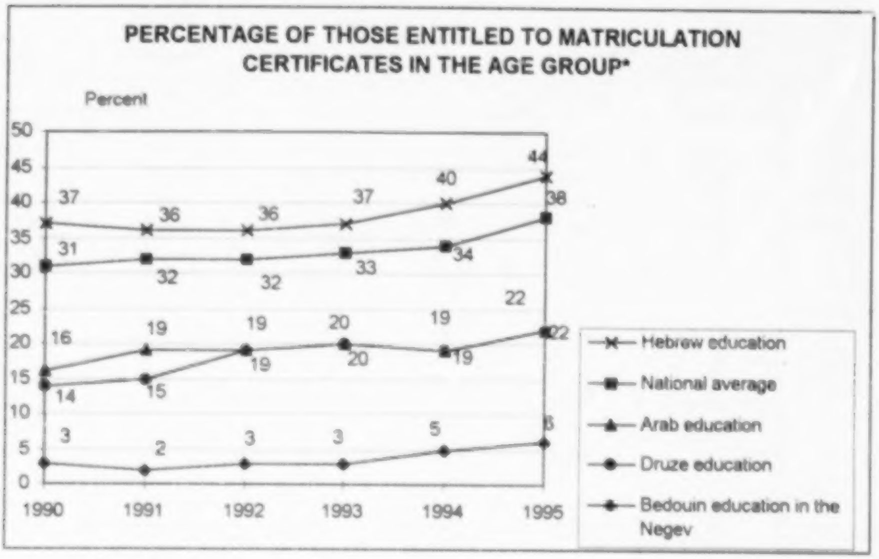
Graduating rates at all levels

639. The following tables show the percentage of pupils entitled to matriculation certificates upon their graduation from high school and the ratio between those examinees who meet the requirements for matriculation certificate and those who do not (disaggregated into Jews and non-Jews, sex and type of school):

Percentage of matriculation candidates (age 17 in the population)



Source: Ministry of Education, Culture and Sport.



Source: Ministry of Education, Culture and Sport, Economics and Statistics Division Examination Information Centre of the Examinations Division and the Senior Division of Information System.

* Age 17 in the population.

640. The graph shows that over the years there has been an increase in the percentage of those who are entitled to matriculation certificates in the age group, primarily in recent years.

Examinees in matriculation exams by qualification for certificate and various characteristics

EXAMINEES IN MATRICULATION EXAMS BY QUALIFICATION FOR CERTIFICATE AND VARIOUS CHARACTERISTICS

	Examinees					
	Not entitled	Entitled	Total	Not entitled	Entitled	Total
	Per cent			Absolute numbers		
Grand total						
1987	39.6	60.4	100.0	14 917	22 740	37 657
1991	36.0	64.0	100.0	16 648	29 577	46 225
1992	37.5	62.5	100.0	18 640	31 005	49 645
1993	39.9	60.1	100.0	22 073	33 200	55 273
1994	41.1	58.9	100.0	24 954	35 765	60 719
1995	34.1	65.9	100.0	19 972	38 566 a/	58 538
Hebrew education						
1987	37.2	62.8	100.0	12 094	20 389	32 483
1991	32.7	67.3	100.0	12 792	26 362	39 154
1992	35.3	64.7	100.0	15 033	27 605	42 638
1993	37.3	62.7	100.0	17 657	29 668	47 325
1994	38.5	61.5	100.0	20 088	32 135	52 223
1995	31.1	68.9	100.0	15 477	34 331	49 808
Track						
General	25.4	74.6	100.0	9 162	26 852	36 014
Technological	45.8	54.2	100.0	6 315 b/	7 479	13 794
Sex c/						
Boys	33.1	66.9	100.0	7 517	15 196	22 713
Girls	29.4	70.6	100.0	7 877	18 957	26 834
Origin c/						
Israel	28.4	71.6	100.0	5 317	13 433	18 750
Asia-Africa	39.4	60.6	100.0	6 094	9 356	15 450
Europe-America	25.6	74.4	100.0	3 818	11 105	14 923
Arab education						
1987	54.6	45.4	100.0	2 823	2 351	5 174
1991	54.5	45.5	100.0	3 856	3 215	7 071
1992	51.5	48.5	100.0	3 607	3 400	7 007
1993	55.6	44.4	100.0	4 416	3 532	7 948
1994	57.1	42.9	100.0	4 846	3 640	8 486
1995	51.6	48.5	100.0	4 495	4 235	8 730
Track						
General	47.9	52.1	100.0	3 445	3 754	7 199
Technological	68.6	31.4	100.0	1 050 d/	481	1 531
Sex e/				2 204		
Boys	53.6	46.4	100.0	2 289	1 908	4 112
Girls	49.6	50.4	100.0		2 327	4 616
Religion e/				3 407		
Muslims	55.0	45.0	100.0	487	2 787	6 194
Christians	38.3	61.7	100.0	591	784	1 271
Druzi	47.5	52.5	100.0		652	1 243

Source: Central Bureau of Statistics.

a/ In addition in 1995, 1,456 were entitled to external matriculation certificates.

b/ In the technological track 2,392 examinees received a technological certificate without a matriculation certificate.

c/ The total only include a number of examinees whose sex and/or origin are not known.

d/ In the technological track 291 examinees received a technological certificate without a matriculation certificate.

e/ The total only includes a number of examinees whose sex and/or religion are not known.

641. The next tables include statistics on graduating students in Israel's universities, in the Open University (a distance-learning institution), non-university high education institutions and teachers' training colleges:

RECIPIENTS OF DEGREES FROM UNIVERSITIES, BY DEGREE, FIELD OF STUDY AND INSTITUTION								
	Annual per cent change (1)			1994/95	1993/94	1989/90	1979/80	1969/70
	1994/95	1989/90	1979/80					
	1989/90	1979/80	1970/71					
	All degrees recipients							
TOTAL								
- Absolute numbers	5.7	4.0	5.3	18 339	16 139	13 915	9 371	5 566
- Per cent				100.0	100.0	100.0	100.0	100.0
Thereof: women	7.4	5.2	7.1	54.7	54.6	50.5	45.1	38.1
Degree								
First degree	5.2	5.2	5.2	71.7	71.8	73.2	72.0	73.0
Second degree	6.2	5.4	7.4	20.5	19.7	20.0	17.6	14.5
Third degree	5.2	1.8	4.7	3.2	3.4	3.2	4.0	4.3
Diploma	11.7	-2.2	2.8	4.6	5.1	3.5	6.4	8.2

Source: Central Bureau of Statistics.

	RECIPIENTS OF FIRST DEGREE FROM THE OPEN UNIVERSITY BY SEX AND FIELD BY SEX AND OF STUDY									
	1994/95	1993/94	1992/93	1991/92	1990/91	1989/90	1988/89	1987/88	1984/85	1982/83
TOTAL	650	615	405	350	339	304	281	194	101	41
Men	270	275	185	196	178	154	153	90	64	28
Women	380	340	220	154	161	150	128	104	37	13

Source: Central Bureau of Statistics.

FIRST DEGREE STUDENTS IN HIGHER NON-UNIVERSITY INSTITUTIONS FOR HIGHER EDUCATION BY FIELD OF STUDY, YEAR OF STUDY AND SEX

Field of study	1994/95	1993/94	1990/91	1989/90	1988/89	1986/87	1984/85	1979/80
TOTAL	3 476	2 658	1 233	1 055	953	662	457	197
Technology sciences a/	141	120	178	140	112	120	127	30
Economics and business administration (1)	584	657	100	98	124	61	50	-
Arts and design a/	318	301	222	162	205	170	141	92
Law	253	171	-	-	-	-	-	-
Teaching - total a/	2 177	1 409	733	655	512	311	139	75
Kindergarten	33	14	-	-	-	-	-	-
For grades I-II	331	206	82	69	73	8	-	-
For grades III-VI	562	339	96	67	40	9	-	-
For grades VII-X	685	455	216	201	208	127	85	75
For all grades b/	478	353	299	274	160	129	18	-
Informal education	55	42	40	44	31	38	36	-

Source: Central Bureau of Statistics.

a/ See introduction.

b/ Including physical education, music and special education.

642. The following numbers relate to graduates receiving B.Ed. Degrees at teacher's training colleges:

1980	75 graduates
1983	127 graduates
1987	311 graduates
1990	655 graduates
1993	1,026 graduates
1994	1,409 graduates

Education budgets

643. As the following data illustrate, the amount of government resources spent on education is gradually increasing in absolute terms (exceeding the inflation rate in Israel), in expenditure per pupil, and as a percentage of the total State budget and the GNP:

National expenditure on education, by type of expenditure and main services (1971-1994)

	Grand total at current prices as per cent of GNP	Grand total
1970/71	7.4	4 017
1971/72	7.7	4 523
1972/73	7.5	4 860
1973/74	8.1	5 198
1974/75	7.8	5 450
(1) 1974/75	8.4	5 844
1975/76	8.0	5 873
1976/77	8.2	5 773
1977/78	8.5	5 936
1978/79	8.8	6 198
1979/80	8.6	6 279
1980/81	8.1	6 171
1981/82	8.1	6 336
1982/83	8.3	6 493
1983/84	8.0	6 641
1984/85	8.4	6 653
(1) 1984/85	9.2	7 661
1985/86	8.2	7 604
1986/87	8.4	7 830
1987/88	8.4	8 094
1988/89	8.6	8 304
1989/90	8.5	8 391
1990/91	8.6	8 820
Calendar years		
1990	8.5	8 770
1991	8.5	9 321
1992	8.6	9 960
1993	8.9	10 492
1994	9.2	11 060

Source: Central Bureau of Statistics.

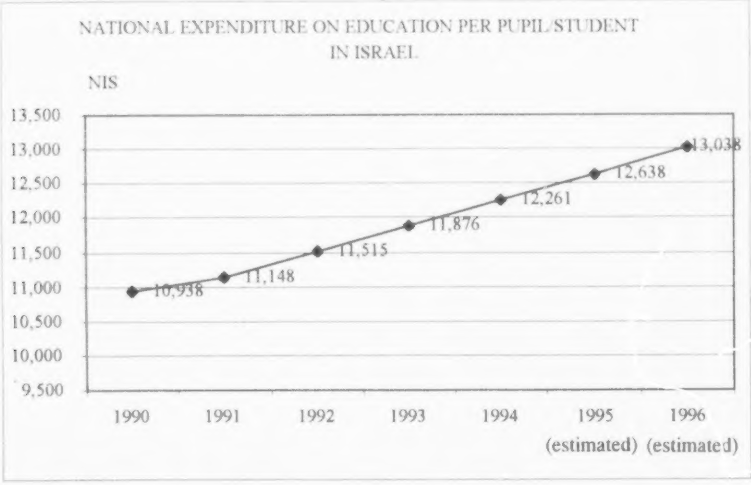
National expenditure on education of the Ministry of Education, Culture and Sport, 1994-1996

Year	Fixed amount (1995)	Actual amount
1994	11.6 billion NIS	10.6 billion NIS
1995	13.8 billion NIS	13.8 billion NIS
1996	15.1 billion NIS	16.4 billion NIS

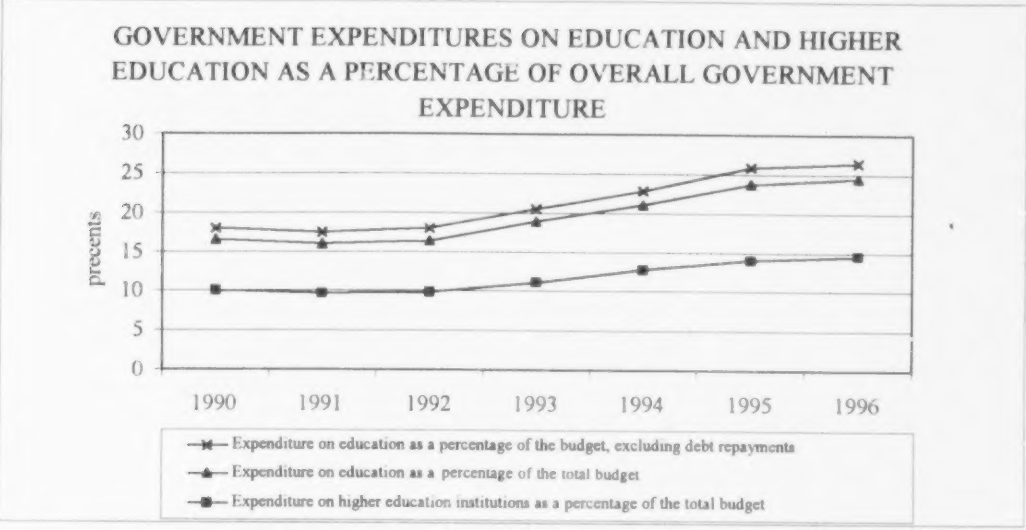
After discarding the effects of inflation.

Source: Ministry of Education, Culture and Sport.

644. The real increase in the education budget between 1994-1996 was 30 per cent; the nominal increase was 55 per cent.



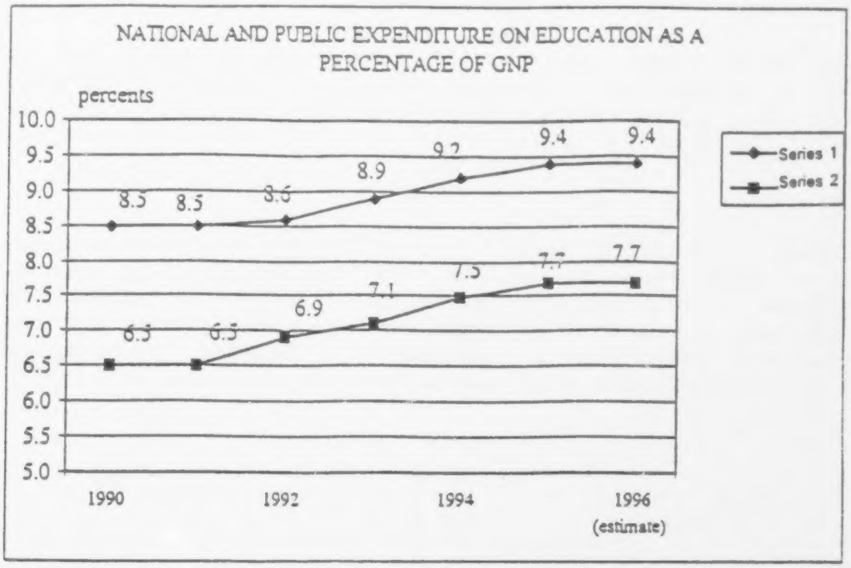
Note: 1995-1996 statistics are listed as estimates.



GOVERNMENT EXPENDITURES ON EDUCATION AND HIGHER EDUCATION AS A PERCENTAGE OF OVERALL GOVERNMENT EXPENDITURE

Source: Ministry of Finance.

645. This table clearly establishes a gradual increase since 1990 in the portion of the total budget allocated to education expenditures. The 1997 government expenditure on education represents 10 per cent of the overall government expenditures.



NATIONAL AND PUBLIC EXPENDITURE ON EDUCATION AS A PERCENTAGE OF GNP

Source: Centra[illegible]ureau of Statistics.
National Expenditure
Public Expenditure

Construction of new schools

646. In recent years, the Ministry of Education, Culture and Sport has allocated special budgets for building new schools, and expanding and renovating existing ones. In 1996, NIS 234 million ($66.8 million) were allocated for the construction of new schools and classrooms, 1,743 of which were built that year. The need for such intensive construction originates from absorbing the children of new immigrants into the education system, natural population increase, and the establishment of new neighbourhoods throughout the country.

647. In addition, in 1996, NIS 199 million ($56.8 million) were allocated for the continued construction of 1,168 classrooms; NIS 96 million ($27.4 million) were allocated for the renovation of school buildings (over 200 schools were renovated in 1996); NIS 28 million ($8 million) were allocated for the construction of school gyms; additional NIS 15 million ($4.3 million) were allocated for equipping new classrooms; NIS 16 million ($4.6 million) were allocated for the expansion of regional colleges; and NIS 21 million ($6 million) for fencing and protection of education institutions.

648. In 1996, priority in construction was accorded to confrontation-line localities (settlements near the borders), localities included in supportive-intervention programmes (mainly disadvantaged areas), and cities with a mixed population - especially Jerusalem.

649. The Vicinity of Schools: Under the Compulsory Education Law, the State must ensure that schooling facilities are available to students within their municipal district, and pupils must enrol in a recognized school in that same district. The State Education Law adds a further requirement - that enrolment be made at a school close to the pupil's residence.

650. Due to Israel's small size, an efficient transportation system and the large number and dispersion of schools, education institutions are available, by and large, to everyone within a relatively close vicinity, even in the more rural areas of the country.

Schooling schedules

651. In recent years, the Ministry of Education, Culture and Sport has taken upon itself to establish an outline programme regulating the schooling schedules of the various components of the education system. An outline programme has been promulgated and implemented in kindergartens and secondary schools (lower and upper). In primary education, however, the organization of studies is in a transitional stage and has not yet been completed.

652. The following table relates to Programmes for Kindergartens:

Elements	Daily time (in minutes) in accordance with age		
	2	-	6
Acquisition and consolidation of life skills and habits (including personal hygiene, care of clothes, and meals)	90	-	45
Free Play	90	-	60
Expression through materials	45	-	60
Planned social activity (free movement, using playground apparatus and movement lessons)	45	-	45
Directed learning activity	30	-	60
Total	330 (5.5 hours)	- -	330 (5.5 hours)

Source: Ministry of Education, Culture and Sport.

653. The programme contains six elements which are essential foundations in the work of all kindergartens. Their organization is flexible and adapted to the shared and differing needs of each child.

Primary education

654. The primary education system is currently in a transitional stage, in preparation for a reorganization of the structure of studies in primary schools. The main feature of the proposed change is striking a balance between the previously dominant approach, according to which a single discipline of teaching subjects in conformity with a predetermined schedule of hours is enforced, and a modern inter-disciplinary approach to teaching. According to the latter approach, schools enjoy a greater degree of discretion and the Ministry's role is limited to setting guidelines.

655. It is the current policy of the Ministry of Education, Culture and Sport to encourage school autonomy in establishing the schedule of hours and deciding the curriculum. However, such autonomy is subject to the requirements of the State Education Law 1953 (which mandates a six day school week, unless the Minister of Education determines otherwise), and of the Long School Day Law 1990 (which mandates an eight-hour school day, unless the Minister of Education determines otherwise). Furthermore, Ministry-issued guidelines as to the percentage of hours given to certain topics (e.g., mathematics, language skills, science, human studies, etc.) must be followed.

656. It is estimated that at present only about a third of the primary schools in Israel enjoy an autonomy along the above described lines.

Secondary education

657. The following tables are the official schedule of hours to be followed by the secondary schools in Israel, divided into lower and upper secondary schools and by education sector. The total numbers of hours appearing in these tables under the term "Weekly hours" is the aggregate number of standard hours throughout all grades represented in each schedule.

Schedule of hours in Lower Secondary School in Hebrew education (7th-9th grades)

Subjects/Fields	Weekly hours: State education	Weekly hours: State religious education
Hebrew	12	11
English	11	11
Arabic/French	9	9
Mathematics	14	14
Science and technology	18	15 a/
Bible	14	12
Oral Law and Judaism		12-14
History, Geography, humanistic and social studies	16	12
Arts	4	3
Education and civics (individual and society)	7	7
Physical education	6	3-5
TOTAL	111	111
Yeshiva and ulpana b/ track: Advanced Oral Law and elective programmes		(2 additional weekly hours)

a/ In State religious education, the subject "Science and technology" will be taught for 18 hours, as in State education. The necessary addition of hours for this purpose will not be allocated as part of the hour framework assigned to lower secondary schools.

b/ Intensive religious school for girls.

Schedule of hours in Lower Secondary School in Arab and Druze education (7th-9th grades)

Subjects/Fields	Weekly hours
Arabic	15
English	12
Hebrew	12
Mathematics	14
Science and technology	18
Arab culture or Islam or Christianity or Druze heritage	7
History, geography, humanistic and social studies	16
Arts	4
Education and civics (individual and society)	7
Physical education	6
TOTAL	111

Source: Ministry of Education, Culture and Sport.

Schedule of hours in Upper Secondary School in Jewish education (10th-12th grades)

Field	Number of hours per pupil			
Hebrew education	State education		State religious education	
Hebrew	12		11	
English a/	9-11		9-11	
Arabic a/	3		3	
Mathematics	9		9	
Natural Sciences/technology b/	8		8	
Bible and Jewish Studies	9		20-26	
History, Geography, humanistic and social studies	8		8	
Elective subject	6		6	
Education and civics	7		7	
Essay-writing workshop c/	2		2	
Physical education	6		6	
Basket of hours for intensive and expanded study	26-28	32-34	16-24	24-32
TOTAL	107 c/	113	113	121
	General	Technology	General	Technology

Source: Ministry of Education, Culture and Sport

a/ French may be substituted for English as the first foreign language or for Arabic as a second foreign language. Children born abroad may substitute their mother tongue as the second foreign language.

b/ In rural schools, the study of "life and agricultural sciences" is compulsory.

c/ In the technological track, the hours allotted for the composition workshop may be used for the study of technological subjects.

Schedule of hours in Upper Secondary School in Arab and Druze education (10th-12th grades)

Field	Number of hours per pupil	
Arabic	12	
English	9-11	
Hebrew	9	
Mathematics	9	
Natural sciences/technology	8	
Arab culture or Islam or Christianity of Druze heritage	3-4	
History, humanities and social studies	8	
Elective subject	6	
Education and citizenship	7	
Essay-writing workshop a/	2	
Physical education	6	
Basket of hours for intensive and expanded study	25-28	31-34
TOTAL	107	133
	General	Technology

a/ In the technological track, the hours allocated to the composition workshop may be used for the study of technological subjects.

Equal educational opportunities

Ratio of males to females in the education system

658. Whereas in primary education, there is almost universal attendance by the relevant age group, in secondary education, there is a problem of drop-outs. Dropping out is more common with boys, and consequently, the ratio of males to females in secondary education tilts slightly in favour of the latter. The percentage of entitlement to matriculation certificate is also higher amongst female pupils than male pupils (52 per cent in comparison with 41 per cent in 1994/5).

Pupils in schools by type of school, age and sex

Rates per 1000 in respective group of population								
	Age							
	17	16	15	14	14-17			6-13
					Girls	Boys	Total	
1993/94	799	865	921	945	920	856	885	956
	Hebrew education							
1969/70	438	603	742	910	707	631	668	984
1979/80	625	743	856	946	865	729	795	967
1989/90	827	884	929	966	957	855	905	958
1993/94	866	930	978	998	981	909	944	955
1994/95 Total	885	943		995	996	926	959	955
Primary education	7	10	13	65	23	28	25	813
Post-primary education								
Intermediate schools	-	-	124	582	177	180	178	138
Secondary schools - total	878	933	873	348	796	718	756	4
General (2)	463	484	458	182	459	336	396	3
Technological/vocational and agricultural	415	449	415	166	337	382	360	1
	Arab education							
1993/94	525	603	705	742	675	652	664	958
1994/95 Total					592	657	673	958
Primary education	-	-	-	-	19	22	20	821
Post-primary education								
Intermediate schools	-	-	81	559	153	163	158	136
Secondary schools - total	544	590	643	196	520	472	495	1
General (2)	402	431	473	176	404	341	372	1
Technological/vocational and agricultural	142	159	170	20	115	131	123	-

Source: Central Bureau of Statistics.

659. In institutions of higher education, there are, today, more women than men studying for their Bachelor's and Master's degrees. However, a greater proportion of men is enrolled in doctoral programmes.

Students in post-secondary non-university institutions by field of study, sex and age a/

Year of study, sex and age	Field of study							
	Other	Arts, design and architecture	Clerical work, law, administration, economics etc.	Paramedical occupations	Qualified nurses	Practical engineering, technical work etc.	Teacher training	Total
1970/71	1 265	876	1 364	600	1,177	4 793	5 442	15 517
1974/75	1 801	1 835	2 353	607	1 219	7 355	11 057	26 227
1979/80	1 737	1 375	2 176	475	1 961	7 857	11 770	27 351
1984/85	874	1 003	2 384	748	1 567	13 288	11 872	31 736
1989/90	807	1 503	1 944	742	1 273	10 747	8 291	25 307
1992/93	1 219	1 248	4 714	812	1 363	14 538	11 689	35 583
1994/95	1 339	4 541	6 905	738	1 334	18 245	9 446	42 548
1995/96	1 179	5 197	7 720	621	1 668	19 310	10 819	46 514
GRAND TOTAL								
Hebrew education - total	1 163	5 197	1 687	621	1 668	18 661	10 312	45 309
Year of study								
I	71	2 956	5 713	308	873	11 251	3 352	25 164
II	426	1 565	1 717	156	480	6 645	3 173	14 162
III	26	514	257	116	244	577	3 053	4 787
IV	-	162	-	41	71	188	734	1 196
Sex								
Men	521	1 296	3 628	238	170	13 406	1 950	21 209
Women	642	3 901	4 059	383	1 498	5 255	8 362	24 100
Age								
Up to 24	498	2 616	2 995	409	851	13 092	7 584	28 045
25-29	248	1 806	2 388	122	375	3 613	1 321	9 873
30 and over	417	775	2 304	90	442	1 956	1 407	7 391
Arab education	16	-	33	-	-	649	507	1 205

Source: Central Bureau of Statistics.

a/ Excl. students studying towards a first degree in non-university institutions for higher education.

Weak and disadvantaged population groups

660. Since the education laws equally apply to every child and adolescent in Israel, without any discrimination, the right to education belongs to everyone. Furthermore, under Israeli administrative law the education authorities (as any other governmental authority) may not adopt discriminatory policies. However, in practice, certain population groups are found to be in a disadvantageous position and special efforts have been made by the authorities to foster and support their education.

General programmes of assistance

661. The activities of the Ministry of Education, Culture and Sport, directed to help pupils of all sectors of the population, focus upon two target groups: "pupils with potential" - 12th grade students who complete their education without a matriculation certificate but have the potential to achieve one; and "pupils at risk" - pupils who might drop out, have done so already, or are exposed to other risks.

662. The following programmes are employed to help "pupils with a potential":

(a) Maavar ("Moving on")

This is a programme designed to promote pupils to go from partial to full matriculation. It offers classes in the framework of an upper-secondary school. In 1996, approximately 10,000 pupils attended this programme.

(b) Tahal ("Second Chance")

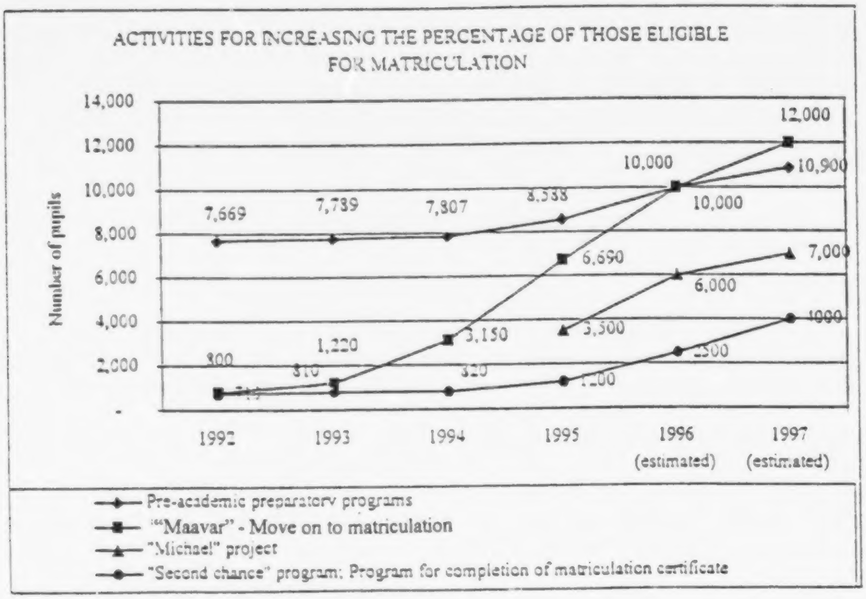
This matriculation completion programme is offered to pupils who attended the 12th grade in a matriculation track, but failed to take or pass between one and three different curriculum subjects necessary for the completion their matriculation certificate. Pupils are given intensive courses on different curriculum subjects (and receive a deferment of their military service). In 1996, about 2,530 pupils participated in this programme.

(c) Pre-academic preparatory programmes

This track provides demobilized soldiers another chance to complete their matriculation certificates and helps them improve their chances of admission into higher education institutions. About 10,000 pupils studied in such programmes in 1996.

(d) Michael ("Utilizing Personal Skills for Excellence")

This programme offers assistance to 10th and 11th grade pupils in development towns (often areas with difficult socio-economic conditions), and other disadvantaged areas in studying for the matriculation examinations. In 1996, approximately 6,000 pupils attended this programme.



Source: Ministry of Education, Culture and Sport.

* The figures for the pre-academic programmes do not include pupils studying in external schools under the terms of the Demobilized Soldiers Act (1984). From 1995, however, these figures do include pupils in external schools as part of the matriculation completion project (i.e. pupils who lack just one examination).

663. The following programmes and measures are employed to help "pupils at risk":

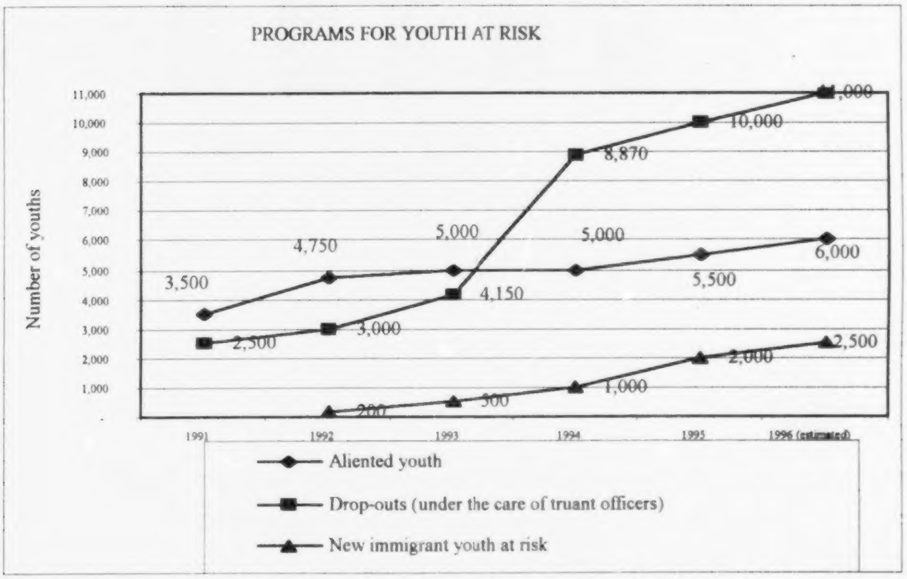
(a) Programmes of preventive intervention and assistance intended to combat the phenomenon of dropping-out have been operating in 1996 in 110 schools.

(b) Truant officers locate and work with drop-outs. In 1996, 11,000 drop-outs were reached by these activities.

(c) Special activities have been undertaken to help reintegration of drop-outs in schools.

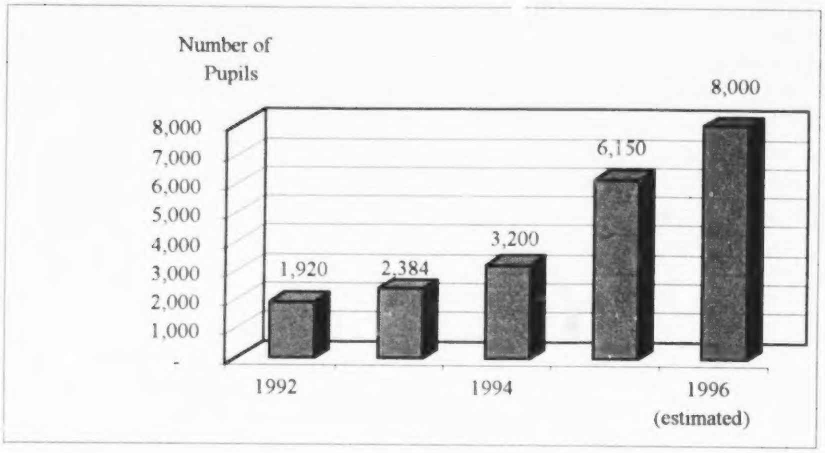
(d) "Children's home" programmes and afternoon-care centres give pupils a place to stay after school hours, until the evening. In 1996 about 500 such programmes and centres were serving approximately 8,000 children.

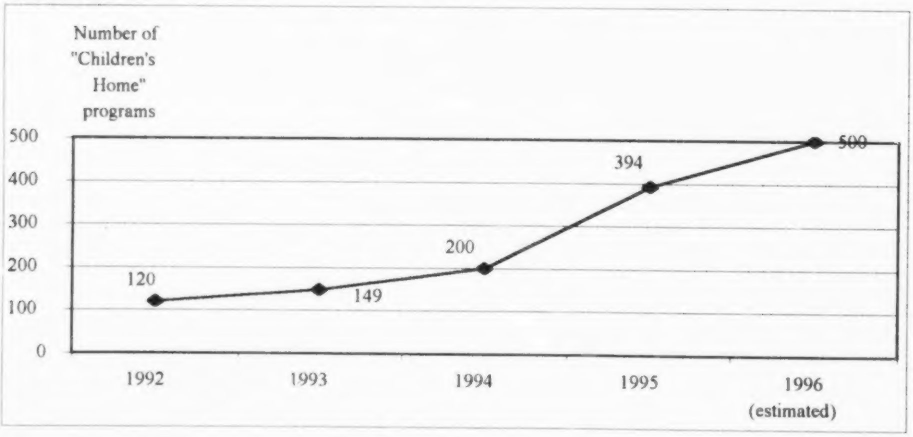
(e) Differential benefits programme - schools who are successful in preventing drop-outs and increasing the number of pupils taking the matriculation exams and the number of pupils who are eventually entitled to receive matriculation certificates receive special financial benefits from the Ministry of Education, Culture and Sport.



Source: Ministry of Education, Culture and Sport.

Expansion of after-school "children's home" programmes and day-care centres





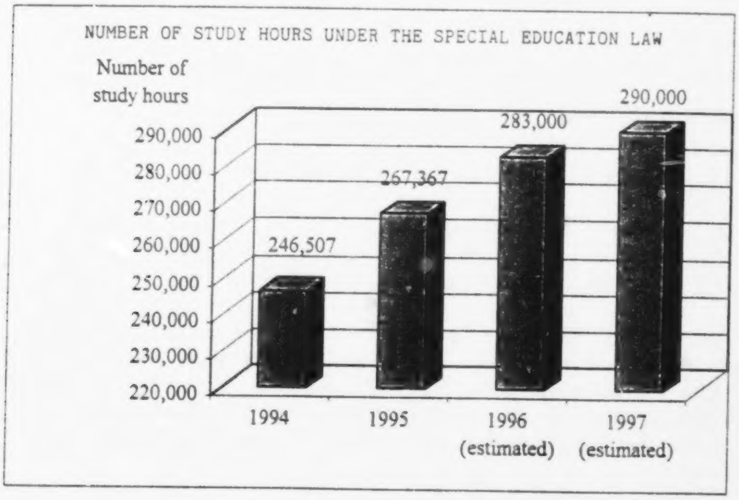
Source: Ministry of Education, Culture and Sport.

Specific programmes of assistance offered to specified population groups

664. Children with learning disabilities: As mentioned above, a special education system exists alongside the regular system, which is available for pupils aged 3-21. In recent years there has been an increase in the resources allocated to special education and in the 1996 budget the amount reached a record NIS 1.2 billion ($34.3 million). It thus became possible to extend the application of the law to age groups 3-5 and 18-21 prior to the originally estimated date. Furthermore, pupils with serious disabilities were provided with longer school days and classes during ordinary school vacations.

665. It is however the goal of the Ministry of Education, Culture and Sport to encourage the integration of children with mild disabilities into the ordinary school system. Therefore, a special programme was initiated to teach teachers how to help pupils with disabilities and how to create a tolerant atmosphere towards them among the ordinary pupils. Moreover, a special differentiated curriculum is being developed to accommodate the needs of such disabled pupils.

666. In 1996, there were approximately 37,000 pupils aged 3-21 years in the various special education frameworks. In addition, about 40,000 more pupils were integrated in the regular school system, but received special assistance from special education resources. It should be noted that the percentage of all pupils in Israel enrolled in special education has declined in the last 10 years.



Source: Ministry of Education, Culture and Sport.

Arab and Druze Sectors

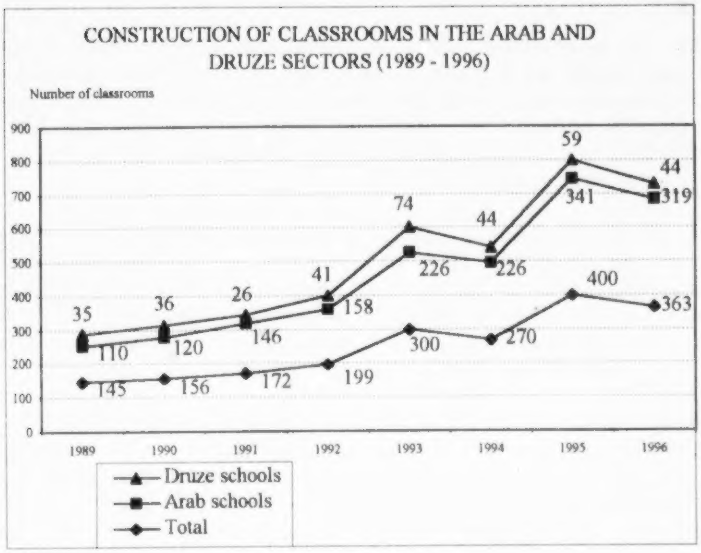
667. The Arab and Druze pupils have achieved, on average, lower scores on past national assessment tests than their Jewish counterparts. Similarly, drop-out rates are higher in these sectors, and matriculation entitlement percentage is lower. This gap in educational achievements is attributed to inadequate channelling of resources to these sectors in the past, to socio-economic problems, and inferior infrastructure. Furthermore, teaching hours used to be fewer in these sectors in comparison with the Jewish sector, and teachers used to be less well-trained.

668. Determined to close this gap, the Ministry of Education in 1991 embarked on a five-year programme intended to equalize the educational and budgetary standards of these sectors to that of the Jewish education sector.

The special measures taken under the programme were as follows:

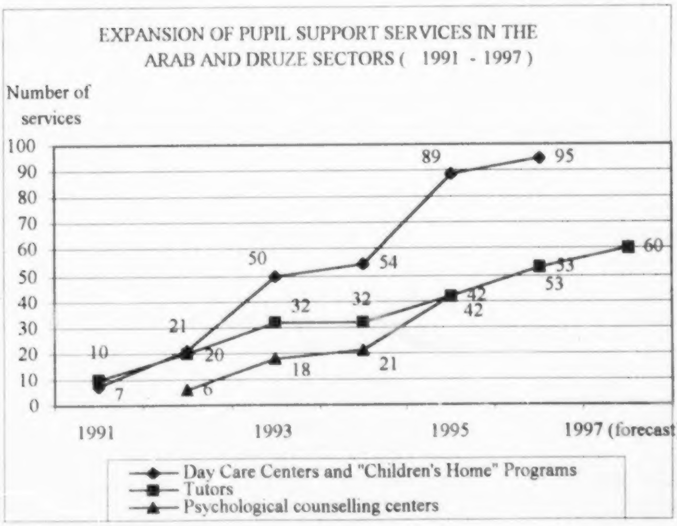
- Construction of classrooms;
- Adding classroom hours;
- Teacher training and in-service teacher training;
- Pedagogic assistance for teachers - teacher-trainers and pedagogic centres;
- Developing curricula and textbooks, and producing programmes for educational television;
- Nurturing gifted pupils
- Expanding the truant officers scheme and the psychological counselling and guidance services;
- Expanding activities to prevent dropping out;
- Significant expansion of special education;
- Expanding informal education
- Increasing budgets for culture and sport.

669. The five-year programme has been successful in narrowing the gaps between the Arab and Druze and the Jewish education systems, but has failed to close the gap altogether. It should be noted, however, that in one area - academization of teaching staff - the achievements in the Arab sector in upper secondary education have recently surpassed those of the Jewish sector.



CONSTRUCTION OF CLASSROOMS IN THE ARAB AND DRUZE SECTORS (1989 - 1996)

Source: Ministry of Education, Culture and Sport.



EXPANSION OF PUPIL SUPPORT SERVICES IN THE ARAB AND DRUZE SECTORS (1991 - 1997)

Source: Ministry of Education, Culture and Sport.

New immigrants

670. Being an immigrant absorbing society, Israel's educational system faces the challenge of integrating immigrant pupils who do not know the language, and come from varying educational and cultural backgrounds. The education system offers such pupils additional teaching hours for up to the first three years (sometimes in their native language), and undertakes programmes to smooth the process of their integration.

671. In many cases, due to a lack of previous formal education, immigrants from Ethiopia face unique problems in their absorption in the education system. In order to address this special problem, the Ministry of Education, Culture and Sport has established a special steering committee to focus on the integration of Ethiopian immigrant pupils. Half of the members of the steering committee are themselves Ethiopian immigrants.

672. Measures already taken by the Ministry in order to facilitate the integration of Ethiopian immigrants include supplementary after-school programmes and the allotment of additional teaching hours throughout their entire education. Special attention has been given to the problem of drop-outs among Ethiopian immigrants. The policies and programmes that have been implemented resulted in considerable success.

Specially targeted action

673. The Ministry of Education, Culture and Sport has identified over 30 municipalities facing special problems in terms of educational achievements, and has developed special programmes involving the participation of the local communities to improve the situation in those targeted towns and villages. The list of targeted municipalities includes Jewish, Arab, Druze, Bedouin and mixed settlements.

674. The following list relates to the geographical Dispersion of Targeted Localities:

Jerusalem
Beit Shemesh
Maale Adumim
Neve Yaakov
Pisgat Zeev
Haifa
Or Akiva
Gissar A-Zarka
Daliyat El-Carmel
Ussifiya
Tirat HaCarmel
Kiryat Yam
South
Ofakim
Beersheva
Yeroham
Mizpe Ramon
Netivot
Kiryat Gat
Tel Sheva

North
Bir El-Maksur
Beit Jan
Beit Shean
Hazor Haglilit
Tiberias
Yokneam
Maale Yosef
Marom Hagalil
Upper Nazareth
Acre
Afula
Kiyat Shemona
Shlome
Centre/Tel Aviv
Or yehuda
Bat Yam
Yehud
Rosh HaAyim
Ramla/Lod

Source: Ministry of Education, Culture and Sport.

Language facilities

675. The language used in the school system and teacher's training is either Hebrew (Jewish sector) or Arabic (Arab and Druze sectors). Some schools have started to offer special language where immigrant pupils are taught some of their courses in their native language.

676. In Arabic-speaking schools, pupils learn Hebrew and English as second and third languages, whereas in Hebrew-speaking schools, English and Arabic are taught as foreign languages. In some schools French is taught as a second language (instead of English or Arabic), and since 1997 other languages, such as Russian were introduced into the elective curriculum.

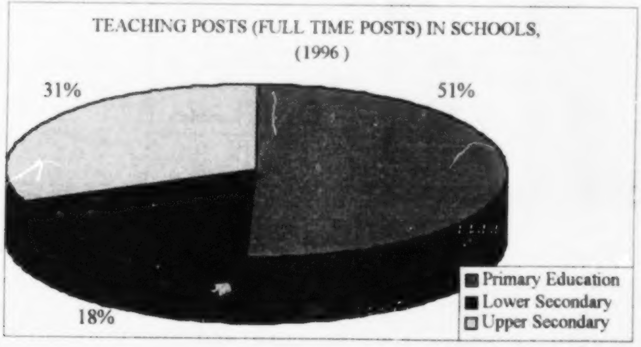
677. Adult new immigrants are offered basic Hebrew-language classes in new immigrant's schools especially created to teach elementary language skills. In 1996, 68,000 persons attended schools.

Conditions of teaching staff

678. There are approximately 80,000 full-time teachers in all levels of the Israeli primary and secondary system. The following table demonstrates their distribution to sectors and school levels:

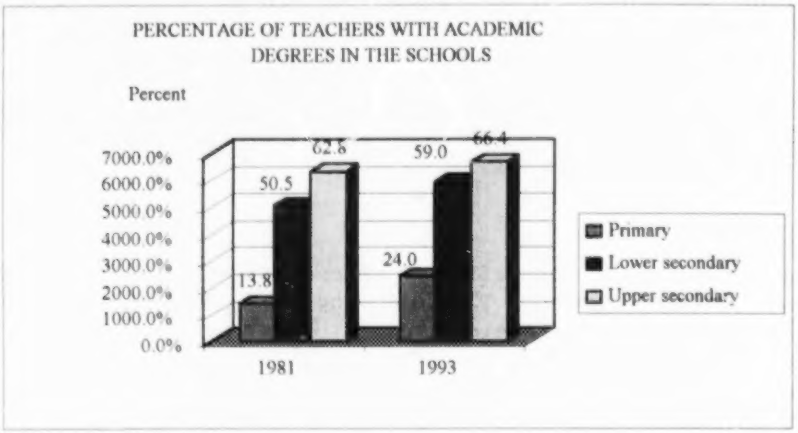
Teaching posts (full-time) in schools, 1996

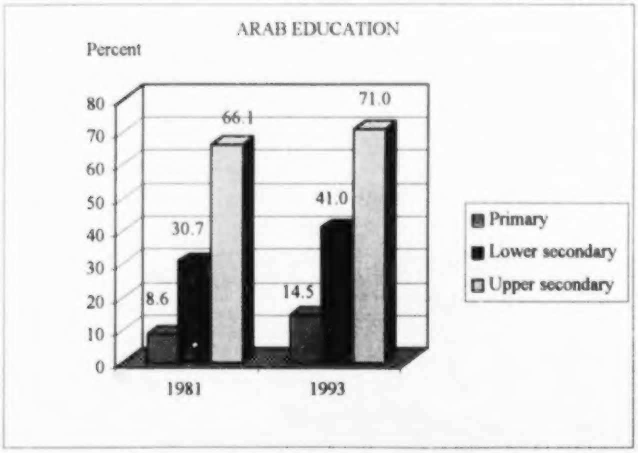
	Total	Hebrew education	Arab education
Total	79 010	66 050	12 960
Primary Education	39 920	32 600	7 320
Lower Secondary	14 380	11 740	2 640
Upper Secondary	24 710	21710	3 000



Source: Ministry of Education, Culture and Sport.

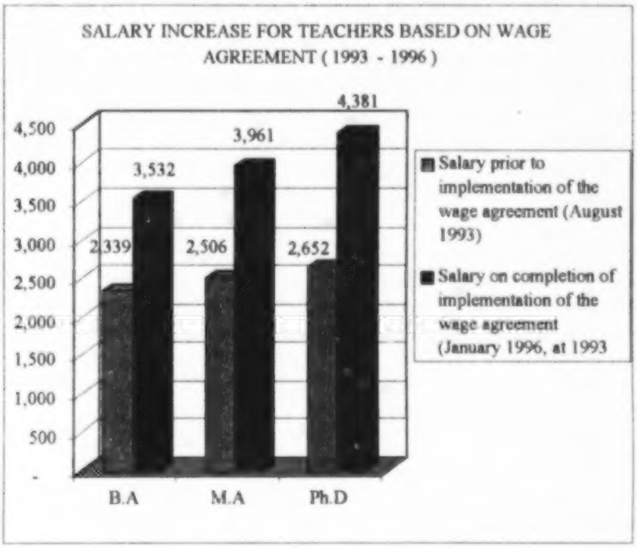
679. In addition there are about 22,000 part-time teachers in primary and secondary schools, and 50,000 teachers in kindergartens and other educational frameworks. It is the policy of the Ministry of Education, Culture and Sport to support the academization of teachers. Most teacher trainees now study toward an academic degree (B.Ed. or B.A.), and practising teachers are encouraged to get such a degree if they do not already have one. By virtue of this policy the percentage of academics among teachers has increased.





Source: Ministry of Education, Culture and Sport.

680. Another Ministry policy involves the goal of improving the status and social standing of teachers and educators. In this vein, a public campaign was launched in the media, under the slogan "A good teacher is a teacher for life". A special effort was made by the Ministry and teachers' associations to improve teachers' salaries. This effort resulted in a sharp increase in teachers' salaries between 1993-1996



Source: Ministry of Education, Culture and Sport.

681. Teachers' salaries are negotiated between the two teachers' associations and the Ministry of Education, Culture and Sport. They are calculated in accordance with the individual teacher's formal education, length of service in the teaching force, amount of accumulated in-service teacher education, and non-teaching school positions by the teacher.

682. Hence, for example, in June 1996 a kindergarten teacher with 16 years of experience earned NIS 5,386 gross (about $1,800), a primary school teacher with 18 years of experience earned NIS 5,559 gross ($1,850), and a lower secondary school teachers with B.A. degree and 18 years of experience earned NIS 5,784 gross (about $1,930).

683. In 1995, pre-school teachers' average salary constituted over 97 per cent of the average salary in the State administration; primary school teachers earned on average 99 per cent of the average salary in the State administration; and secondary school teachers earned on average 103 per cent of the average salary in the State administration.

Responsibility for the establishment and administration of schools

684. Responsibility for the establishment and administration of schools within the framework of compulsory education is divided between the Ministry of Education and the local authorities. Other bodies that may be involved in the establishment and administration of upper secondary schools are public education networks and private bodies. However, the Ministry of Education is responsible for licensing and supervision of all such schools.

685. A distinction is made between State education, State-religious education, and independent, but recognized, educational institutions. The latter are also supported by the State and subject to supervision over their curricula, in accordance with the curriculum and degree of governmental involvement in their operation. There is an insignificant number of other private schools not included in one of these categories.

686. In order to establish a school, private or recognized, a permit needs to be requested from the Ministry of Education, Culture and Sport. The School Inspection Law 1968 requires the Ministry to verify the preservation of adequate educational standards, and to consider the proposed curriculum, schooling schedule, school facilities, safety features, teaching equipment, available financial resources, the type of school and the ages and needs of potential pupils before granting permits.

687. There is no difficulty in moving from one type of school to another, and parents are free to choose the kind of school they wish to send their children to, as long as the school in question operates with State permission.

Article 15 - The right to take part in cultural life and enjoy scientific progress

The right to take part in cultural life

Funding

688. As an indication of its commitment to the promotion of culture in Israel and to increase the people's participation in cultural life, the Government of Israel invests significant resources in culture-related activities, supporting directly and indirectly a wide range of both public and private cultural activities throughout the country.

National expenditure on culture, recreation and sports and its financing, by sector, kind of expenditure and activity

At current prices

	Financing sector a/						Executive						
	Thereof:								Government				
	Deficit of non-profit institutions	Local authorities	Government and national institutions	Households	Grand total		Business	Private non-profit institutions	Non-profit institutions	Local authorities	Government and national institutions	Grand total	
	Per cents					NIS million	Per cents						NIS million
1990	-12.1	15.2	7.3	89.6	100.0	5 221.8	65.2	10.4	8.2	14.0	2.2	100.0	5 221.8
1991	1.5	16.2	6.4	75.9	100.0	6 602.0	65.2	10.5	8.4	14.1	1.8	100.0	6 602.0
1992	1.8	14.1	6.5	77.7	100.0	8 084.0	66.6	10.3	8.8	12.4	1.9	100.0	8 084.6
1993							67.9	9.8	8.5	12.0	1.8	100.0	9 890.6
1993 - GRAND TOTAL	2.0	13.7	6.4	77.9	100.0	9 890.6	69.0	9.4	8.1	11.7	1.8	100.0	12 054.5
Current expenditure	*2.1*	*11.8*	*5.3*	*80.8*	*100.0*	*9 458.7*	71.9	9.4	7.6	9.7	1.4	100.0	11 586.0
Cultural heritage	7.5	22.2	28.4	41.9	100.0	228.8	9.7	35.0	46.3	8.2	0.9	100.0	269.4
Literature and printed matter	0.3	8.0	3.7	88.0	100.0	769.6	83.5	3.2	1.6	10.1	1.5	100.0	820.3
Music and perfoming arts	4.1	0.8	3.8	91.4	100.0	2 307.9	84.8	11.0	3.9	0.4	-	100.0	2 736.0
Visual arts	-4.6	20.3	-	84.4	100.0	84.4	62.1	5.3	32.5	-	0.2	100.0	98.3
Cinema and photography	0.2	1.0	1.2	97.6	100.0	573.2	98.8	0.4	0.3	-	0.5	100.0	605.0
Radio and television	-	-	-	100.0	100.0	1 759.2	100.0	-	-	-	-	100.0	2 454.0
Socio-cultural activities	5.7	39.5	23.0	31.9	100.0	1 058.4	-	16.4	40.0	33.4	10.3	100.0	1 257.5
Sports and games	0	11.5	4.4	84.1	100.0	1 223.8	70.2	14.8	5.1	8.6	1.3	100.0	1 429.2
Nature and the environment	2.6	44.9	1.7	50.7	100.0	735.4	29.6	24.8	1.5	44.1	0	100.0	865.3
Gambling	-	-	-	100.0	100.0	619.6	100.0	-	-	-	-	100.0	913.0
General administration on non-apportionable activities	4.8	71.4	5.7	18.1	100.0	98.3	-	19.2	12.8	66.4	1.6	100.0	118.0
Fixed capital formation	*13.7*	*0.1*	*55.0*	*31.3*	*100.0*	*431.9*	*0*	*5.7*	*10.6*	*70.0*	*13.7*	*100.0*	*488.6*

a/ 1993 is the last year for which there are detailed data on financing of national expenditure on culture, recreation and sports.

National expenditure on culture, recreation and sports, by kind of expenditure and activity

	National expenditure on culture as a per cent of the GDP	Fixed capital formation	Thereof:								Current expenditure - total	Grand total
			General administration and non-apportionable activities	Gambling	Nature and the environment	Sports and games	Socio-cultural activities	Radio and television, cinema and photography	Music and performing arts	Cultural heritage, literature and visual arts		
	NIS million, in current prices											
1994		488.6	118.0	913.0	865.3	1 429.2	1 257.5	3 059.4	2 736.0	1 188.0	11 566.4	12 054.9
	Per cents											
1990	5.0	5.9	0.8	6.0	7.6	10.4	11.3	21.5	25.0	11.5	94.1	100.0
1991	4.9	5.1	0.8	5.8	7.6	11.7	11.1	22.3	24.3	11.2	94.9	100.0
1992	5.1	4.6	1.0	5.6	8.1	13.1	11.1	22.0	23.3	11.3	95.4	100.0
1993	5.4	4.4	1.0	6.3	7.4	12.4	10.7	23.6	23.2	11.0	95.6	100.0
1994	5.7	4.1	1.0	7.6	7.2	11.9	10.4	25.4	22.7	9.9	95.9	100.0
	NIS million, in 1990 prices											
1990		306.3	42.1	313.4	396.9	542.5	592.5	1 121.1	1 304.2	602.9	4 915.6	5 221.9
1991		289.3	47.2	324.3	425.9	660.9	624.7	1 258.9	1 370.7	632.3	5 344.9	5 634.2
1992		280.7	60.2	336.0	480.0	691.3	655.6	1 469.5	1 446.4	670.3	5 809.4	6 090.0
1993		299.0	65.4	420.0	510.9	881.0	688.3	1 724.2	1 601.2	709.6	5 899.7	6 600.7
1994		296.2	67.3	550.0	527.4	961.0	726.5	2 120.4	1 684.4	671.6	7 308.6	7 604.8

689. The Ministry of Education, Culture and Sport which is responsible for promoting culture in Israel, gives direct financial assistance to some 300 cultural and art institutions, supports culture-related projects, sponsors initiatives in the area of culture, organizes cultural activities in various regions of the country intended for a variety of populations, encourages the artistic endeavours of amateurs, and helps cultural groups preserve their heritage and foster their culture. The Ministry of Education, Culture and Sport, in cooperation with the Ministry of Foreign Affairs, also invests resources designed to promote cultural relations and exchanges between Israel and other countries. The Ministry's budget is presented in the following table.

Participation of the Ministry of Education, Culture and Sport in the budgets of cultural institutions - 1997

(by 1997 budget, in thousands of NIS, and by per cent)

Field	Budget	Distribution by %
Total	445 398	100
Israel Association of Community Centers	124 354	28
Theatres	68 683	16
Music (orchestras, operas, choirs, institutions)	46 115	11
Museums, plastic arts	32 607	7
Orthodox Jewish cultural enterprises	27 718	6
Research institutes and cultural centres	23 278	5
Dance	14 910	3
Public libraries	14 867	3
Omanut l'Am ("Arts for the People" association)	13 764	3
Film	13 688	3
Corporations engaged in cultural activity	11 692	3
Schools of art	9 544	2
Literature journals	9 256	2
Torah culture projects	8 527	2
Festivals	8 283	2
Druze and Arab culture	4 789	1
Ethnic heritage	4 776	1
Cultural absorption and Israeli culture abroad	3 346	*
Public archives	1 703	*
Arts and crafts classes for amateurs	1 480	*
Jewish philosophy	969	*
Consulting, surveys and organization publications	853	*
Training administrators of cultural organizations	306	*

* Total of all the items marked with (*) amounts to 2 per cent of the budget.

690. One of the most important tools of cultural promotion in Israel are the 170 community centres throughout the country. These centres offer communities, especially those with weaker population concentrations, various cultural-related activities, such as art classes, dance troupes, choirs, theatre groups, etc. Reflective of the policy of the Ministry of Education, Culture and Sport to give high priority to community-oriented cultural activity is the fact that the largest item on the Ministry's culture budget is the financial support allocated to the Israeli Association of Community Centers, which is responsible for the establishment, supervision and support of the community centres.

691. Allocations for cultural institutions and projects are made objectively, based upon equal criteria, taking into consideration the nature and conditions of the activities, their qualitative scope and circumstances, as well as the special needs of each institution and project. Governmental support is offered either as grants or loans to organizers and producers of cultural events (e.g., public theatres, museums), or as a direct support of the individual artists engaged in the cultural activity.

692. The Ministry of Education, Culture and Sport offers several prizes as an additional method of supporting artists. They include a prize for painting and sculpture which is awarded every year to five artists (providing for their sustenance for a whole year), and prizes for young plastic artists and teachers, yearly grants for creativity to writers, poets, and translators. Financial support to cultural activities is also provided by municipal authorities, public and private foundations, private persons, endowments and corporations.

693. The municipalities invest part of their budget in improving cultural facilities, supporting local artists, and sponsoring communal cultural activities. The local authorities are often assisted by private contributions raised by private and public foundations (e.g., the Jerusalem Foundation, the Tel Aviv Foundation for Culture and Art, and the Haifa Development Foundation).

694. Several of the public foundations are financed by the Government (e.g., the Fund for Promotion of Israeli Quality Films and the New Fund for Documentary Films), thus reflecting further indirect investment in culture by the Government. Two important methods of support through public foundations are the Loan Fund for Producers, under which a government fund subsidizes interest on bank loans taken by private producers of artistic productions, and the Fund for the Promotion of Writers which supports writers in Israel according to the number of times their books have been borrowed from public libraries.

695. Foundations and contributors are often associated with major cultural institutions and bodies such as the Israel Philharmonic Orchestra, Israel Museum and Tel Aviv Museum. Associations of friends of major cultural institutions make an important contribution through fund-raising activities inside and outside Israel, and by way of lobbying for public support.

696. A leading example of the involvement of private corporations in culture is Business for the Arts, a non-profit organization that forges links between the Israeli business community and various cultural and artistic enterprises on a "quid pro quo" basis - mainly by offering advertisement of sponsoring

businesses (e.g., by way of an ad in a theatre programme). Banks and other business enterprises also serve as direct sponsors, on a regular basis, of activities in the field of art and culture.

697. A unique project, privately initiated, involves the Omanut l'Am (Arts for the People) association. The association has taken upon itself to provide residents of remote areas (outside the main cultural centres) with equal access to cultural and artistic activities. A further aim of Omanut l'Am is to promote art education and appreciation. It sponsors some 12,000 artistic activities annually in all areas of the arts, throughout the country. The association is also involved in cultural-related activities in schools. As indicated above, the Ministry of Education, Culture and Sport directs significant budgetary resources to support the activities of Omanut l'Am.

698. A special Culture Administration was established within the Ministry of Education, Culture and Sport to further support the proper functioning of art and cultural institutions in Israel, including the formulation of long- and short-term policy. The administration also deals with the promotion of amateur activities, absorbing of new immigrant artists, folklore and ethnic heritage, art festivals, and research and science institutes, such as the Academy of the Hebrew Language, the Ben-Gurion Heritage Institute in the Negev and the Yad Itzhak Ben-Zvi Institute for Eretz Israel Studies and Research.

699. Several consultative public councils operate in affiliation with the Culture Administration: the Public Council for Culture and Art,which is a general policy consultative council composed of public figures from the art community; the Public Council for the Promotion of Culture and Art in Neighborhoods and Development Towns contributes to activity among disadvantaged populations; and the Council for Public Libraries and the Council for Museums, both operating under the provisions of the public libraries and museums laws, respectively.

The institutional infrastructure of cultural life in Israel

700. Two laws have been legislated to regulate the operation of specific cultural institutions: the Public Libraries Law 1975 and the Museums Law 1983.

701. The Public Libraries Law defines the responsibility of the State to establish public libraries and specifies the conditions for according a library the status of a public library (thus making it eligible to receive public funds). There are some 950 public library facilities in Israel, as well as school libraries and other libraries throughout the country. Hence, in almost every city or town there is at least one public library. The libraries house books in Hebrew, English, Arabic, Russian, German, French, Spanish, Romanian and Hungarian. There are also some mobile libraries available, designed especially for the use of the members of the armed forces and to accommodate the residents of remote settlements and neighbourhoods.

702. The Museums Law determines the criteria for establishment and recognition of museums by the Museum Council, composed of public figures. Israel has 180 museums of various kinds: art, nature, science, archaeology, history, technology, and other themes.

703. Many other cultural institutions, while not regulated by law, are actively supported by the State:

704. Theatres - There are 21 established theatre groups in Israel performing in theatres around the country. The larger theatre groups are based in Tel Aviv, Haifa, Jerusalem and Beersheva. In addition, special theatre festivals are held annually throughout the country, most notable of which are the Acre Festival for Alternative Theater, the Teatronetto - festival of solo performances in Tel Aviv, and The Jerusalem Puppet Theater. Besides professional theatrical activities, there are several informal community theatres performing in local community centres. In addition to Hebrew-language theatre, there are also theatre groups regularly performing in Arabic, Russian, Yiddish and English.

705. Music - There are some 50 music-oriented organizations in Israel, including 17 orchestras, The Israel Opera, 10 choirs, and various music schools. The Israel Philharmonic Orchestra is counted among the world's best symphony orchestras. At least one concert hall can be found in almost every major town in Israel, hosting various musical performances. In addition, many musical events are held outdoors. Examples of annual music festivals are the Abu Gosh Vocal Music Festival, the Zimria (folk singing festival), the Arad Israeli Pop Music Festival, the Eilat Jazz Festival, and the Rubinstein International Competition for Pianists.

706. The plastic arts - A great number of unique institutions, associations and projects operate throughout the country (e.g., the Ceramic Artists Association, the Association for Jewish Art, professional associations for design, etc.). Art exhibitions are presented in a large number of museums, public and private art galleries, and in private workshops and homes in every part of the country.

707. Films - In recent years, approximately 10 feature films and 30 documentary films are produced in Israel every year. Domestic and foreign films are screened in a large number of cinemas throughout the country. Classic films are being re-screened in the three Cinemateques operating in Tel Aviv, Jerusalem and Haifa. In addition, international film festivals are held annually in Jerusalem and Haifa. Film-making is taught at the universities and in several film schools.

708. Literature - Some 20 literary periodicals are published every year and some 15 similar literary projects exist, organized by various organizations such as the Association of Hebrew Writers and the Association of Writers. In addition, all major newspapers carry a special weekly section on literature and poetry. Books are readily available in the many book stores and public libraries throughout the country. "Hebrew Book Week", a book fair held in every city, is a popular annual event. Moreover, international book fairs held in Israel, such as the Jerusalem International Book Fair, are also open to the public.

709. Museums such as Beit HaSofer and Beit Agnon in Jerusalem, and Beit Bialik in Tel Aviv host a variety of literary activities, and offer the public information and exhibits on the works and life of important writers.

710. Dance - Twenty dance groups, several dance academies and dance performance centres (e.g., the Susan Dellal Tel Aviv Dance Center) operate in Israel. There are both professional ballet and modern dance companies, most notably Bat-Sheva, The Israel Ballet, Bat Dor and U'dmama (performed mostly by the deaf). Several other troupes focus on popular folklore such as the

Jerusalem Dance Company. Israeli and foreign companies perform throughout the country, usually in concert halls. Special dance festivals are held annually in different places in the country. The most notable of these is the Carmiel Folk Dance Festival. Due to the large popularity of folk-dancing in Israel, many community centres throughout the country offer dancing activities and classes.

Cultural and entertainment shows - theatres, orchestras and dance groups

	Spectators (thousands)	Runs	Works of art		Shows	Institutions 1/
			Thereof: Israeli	Total		
Theatres						
1989/1990	1 999.2	5 525	65	136	136	11
1990/1991	1 394.0	4 218	92	151	151	11
1991	1 910.4	4 782	50	148	148	11
1992	2 029.8	4 696	41	159	159	11
1993	1 800.4	5 246	91	171	171	13
1994	1 886.6	4 987	73	145	145	12
1995	1 942.1	5 075	81	162	162	12
Orchestras and opera						
1989/1990	699.5	767	42	693	252	11
1990/1991	609.1	690	50	598	256	11
1991	708.2	852	50	715	303	13
1992	765.0	1 099	42	743	302	13
1993	794.6	937	33	574	285	13
1994	950.8	928	94	894	299	11
1995	1 098.0	1 063	53	803	341	12
Dance groups						
1989/1990	259.3	503	55	85	94	8
1990/1991	233.7	506	69	108	107	8
1991	311.8	599	69	95	105	8
1992	262.1	504	67	84	58	6
1993	327.7	645	62	91	81	7
1994	315.0	602	68	100	71	7
1995	399.8	621	75	103	78	7

Source: The Central Bureau of Statistics.

1/ Institutions that reported (see explanation in introduction).

Cultural identity and heritage of population groups

711. Being a multicultural society, Israel assists various groups in preserving and promoting their culture.

Arab, Druze and Circassian cultural heritage

712. Assistance is given to the promotion of the cultural heritage of Arab, Druze and Circassian minority groups. In these sectors, the State supports, *inter alia*, oriental orchestras, museums, theatres, and dance groups. Events such as the Arab Culture Month, the Olive Festival (of the Druze in the Galilee) and the Circassian Culture Festival (held in Kfar Kama and Richniya, in the Upper Galilee) have become an important part of the cultural life of those sectors of the population and attract many visitors. In addition, literary works and journals are regularly published in the Arabic language, thus accommodating the needs of the Arabic-speaking sectors.

713. Examples of specific cultural institutions supported in the Arab sector are the professional Arab theatres - such as the Nationwide Arab Theater, and the Beit Hagefen theatre in Haifa - and the Arab Orchestra, which plays Arab classical music. There are various museums dedicated to Arab and Islamic culture, most notably, the Institute for Islamic Art in Jerusalem and the Museum for Arab Folklore (see below). In the Druze sector, the State supports two professional and six amateur theatre companies, four music centres, two professional singing ensembles, and five representative dance companies. Infrastructure has been laid for three Druze museums, and at present there is a library in each of the 16 Druze villages in the country.

Jewish cultural heritage

714. In addition, Israel encourages and fosters cultural activities designed to preserve and promote traditional Jewish heritage of all kinds. Since Jews have come to Israel from 102 countries, different traditions and cultural heritage were introduced in Israel by members of the various Jewish communities. It is the policy of the Ministry of Education, Culture and Sport to support the continued existence of this cultural heterogeneity, which constitutes part of the cultural identity of the nation. Hence, support is given to dozens of professional and amateur performing groups of dancers, singers and music ensembles who preserve the cultural tradition and ethnic heritage of the various communities.

715. Examples of such groups are the Inbal Dance Company, inspired by the Yemenite Jewish heritage; the Ha'Breira Ha'Tivit musical ensemble which draws upon North African ethnic roots; The East and West Orchestra, which also draws upon the heritage of Mediterranean countries and North Africa; and Bustan Avraham, which combines Jewish and Arab cultural elements.

716. Jewish religious scholastic achievements constitute an integral part of the Jewish, and thus Jewish-Israeli, culture. The teaching of its various elements, such as the Bible, Talmud, legends, religious law, and Jewish philosophy, as well as related Jewish music, art and history, is held in several institutional and cultural frameworks.

717. Languages which were developed and used by the Jews in the Diaspora are considered part of the national cultural heritage. In order to preserve two of these languages - Yiddish and Ladino - in which some of the greatest cultural achievements of the Jewish people were created, the Knesset enacted in 1966, the National Authority for Yiddish Culture Law and the National Authority for Ladino Culture Law. Both laws provide for the recognition of these two languages and cultures; the promotion and encouragement of contemporary artistic works in those languages; assistance for institutions in which activity relating to these cultures takes place (e.g., Yiddish-speaking theatre); compilation of cultural treasures, both oral and written, in and relating to these languages; and encouraging the publication of selected works in these languages as well as adequate translations into Hebrew. The annual budgeting allocations for each of these languages amounts to approximately NIS 750,000.

Institutions involved in the promotion of cultural identity

718. Universities and research institutes conduct studies of ethnic cultures, and conferences and symposia are held on the subject. Numerous academic publications dealing with a wide spectrum of topics relating to cultural identity are published every year.

719. Several museums in Israel focus upon various population groups and the preservation of their unique cultures:

- The Museum of the Jewish Diaspora (Tel Aviv) - relates the unique story and culture of the Jewish people since the time it exiled from its homeland and presents its history, tradition and heritage.

- The Center for Babylonian Heritage (Or Yehuda) - presents the culture, art, history and folklore of Iraqi Jewry.

- The Museum for Arab Folklore (Acre) - exhibits traditional arts and folklore items of the Arab population.

- The Institute for Islamic Art (Jerusalem) - houses extensive permanent exhibitions of pottery, textiles, jewellery, ceremonial objects and the like, covering a thousand years of Islamic art, Spain to India, and features temporary exhibits on special themes.

- The Center for the Integration of Oriental and Sephardi Jewish Heritage constitutes another source of information on Jewish culture. This centre, located in the Ministry of Education, is responsible for the integration of Oriental and Sephardi Jewish heritage into the various sectors of education and culture.

The role of mass media and communication in promoting participation in cultural life

720. Legislation in the field of mass communications exists in a number of spheres:

721. The Broadcasting Authority Law 1965 - The law regulates the activities of the Broadcasting Authority responsible for several TV and radio channels. Among the roles of the authority are the broadcasting of educational and informative programmes, as well as entertainment in the areas of culture, science and the arts; strengthening of the links to Jewish heritage; reflecting the life and cultural treasures of Jewish communities in different countries; promoting Jewish and Israeli creative work; and accommodating the needs of the Arab-speaking population. The Broadcasting Authority gives ample expression to Israeli cultural production and creation. In a recent move, one of the authority's radio stations has begun to play Israeli music only.

722. The Second Authority for Television and Radio Law 1990 - This law defines the functions of the Second Authority, which is responsible for the commercial TV Channel 2, and regional radio stations. Among the roles of the authority is the provision of suitable expression to the cultural variety of Israeli society, of Israeli minorities and of the different international cultures. In order to further promote Hebrew and Israeli works, Channel 2 franchise-holders are required to broadcast local productions (i.e., productions made in Israel in the Hebrew language), for at least one third of the air time. The franchise-holders are also required to invest in Israeli cinematic films.

723. The "Bezeq" Law, 1982 - This law addresses, among other things, the operation of cable and satellite TV broadcasting in Israel. It prescribes the taking into consideration of the cultural variety of the Israeli society and the needs of different regions of the country. Consequently, it facilitates the establishment of local community channels and the preparation of programmes on cultural subjects, including those of minority cultures.

724. The media plays an important role in promoting participation in the cultural life of Israel. Many radio and television programmes are dedicated to art, literature, movies, theatre, Jewish culture and other ethnic cultures. Special broadcasts cover cultural and artistic events and report on festivals and shows held inside and outside Israel. In addition, advertisements for cultural performances appear in all media channels. Programmes in Arabic and in other languages used in Israel (English, Russian, and Amharic) are also offered on TV and radio.

725. The Ministry of Education, Culture and Sport operates an educational television service which is granted by law broadcast time on the private and public channels. Educational television aims, inter alia, to increase participation in cultural life; to provide learning and knowledge in culture and art, science, communications and other fields; to increase involvement in educational, cultural and social matters; and to give expression to all facets of the cultural heritage of Israel's citizens.

726. Further sources of promotion of culture through the mass media are the Open University (a distance learning institution designed to promote academic education among wide populations) which broadcasts classes on radio and TV; foreign TV channels broadcasting in Israel through cable channels; and the Internet.

727. All daily newspapers include special sections and supplements devoted to cultural issues and cover on a regular basis cultural events. In addition, a number of culture-related journals are published on literature, art, photography and other subjects.

Preservation and display of mankind's cultural heritage

728. Much attention is paid in Israel to the preservation and presentation of antiquities and historical sites.

729. Preservation of antiquities - The preservation of antiquities dating from before 1700 CE falls under the jurisdiction of the Antiquities Authority. The latter operates in accordance with the Antiquities Authority Law 1978. The authority deals with the excavation, preservation, development, and restoration of antiquities and antiquities sites; supervision of archaeological excavations; management, safeguarding and supervision of the State's antiquities treasures; and the carrying-out of inspections intended to ensure prevention of infringements of the Antiquities Law.

730. Many important archeological findings, such as the Dead Sea Scrolls, are presented in museums and cultural centres. In addition, many sites such as Massada, Nabatian and Byzantine cities, Roman theatres, ancient synagogues, and prehistoric caves are open to the general public. The maintenance and operation of such sites (as opposed to their excavation and restoration) are the responsibility of the National Parks, Natural Reserves and Commemoration Sites Council.

731. Preservation of other sites - The Public Council for Preservation of Sites is in charge of the preservation of sites and buildings of historical value from after 1700 CE (e.g., the "illegal" immigrants camp from pre-State days at Atlit and buildings in Tel Aviv designed in the Bauhaus style).

732. The State of Israel is involved in professional international cooperation in the field of preservation and restoration of cultural treasures, through the International Centre for the Study of the Preservation and Restoration of Cultural Property and the International Council of Monuments and Sites.

Freedom of artistic creation and performance

733. It is the policy of the Ministry of Education, Culture and Sport to support the protection of artistic creation and performance. Artists in Israel express themselves in various artistic fields and often express political views. However, government support is afforded without any discrimination on the basis of the political views of the artist in question, and some of the artistic projects which are receiving State funds reflect sharp criticism of the Government.

734. Although a film-rating commission with censorship powers still exists in Israel (whereas other forms of official non-security-related censorship have been abolished), the Supreme Court of Israel (sitting as an administrative court) exercises broad powers of review over its decisions, and has nullified on several occasions decisions to censor controversial artistic films

(involving pornography). The court has held that freedom of artistic and creative expression is a protected constitutional right which can only be restricted in extreme situations involving a clear showing of severe threat to public order or safety.

735. The Supreme Court has stated that:

> "This rule gives constitutional protection not only to the general freedom of expression, but also to the freedom of artistic expression. This last freedom can be regarded as part of the freedom of expression, 'from which, in part, the freedom of artistic creation in literature and in all forms of expression, is derived' [cite omitted]. 'Freedom of expression is the artist's liberty to open his/her heart, fly high and liberate his/her thoughts' [cite omitted] ... It is based on the conception of human beings as autonomous individuals entitled to self-fulfilment as creators and consumers of such creative work. It is the freedom to choose themes and the way of their presentation, and the other person's liberty to hear and absorb them. Of course, the freedom of artistic expression is not an absolute freedom. As is the case with other liberties, it is only of relative value, and it can be limited for a proper cause, provided that the restriction is not excessive."
> H.C. 4804/94 Station Film Co. v. The Films and Plays Review Council, Takdin-Supreme, vol. 97 (1) 712, 718.

736. Furthermore, the Court states that:

> "... [O]ur perceptions do not permit us to place restrictions upon the freedom of expression because of a non-extreme hardship caused thereby. Only the infliction of a deep, extraordinary and blatant insult may justify limiting the freedom of expression [cite omitted] ... As to the degree of probability that damage will occur ..., we have adopted a rule saying that only proximate certainty that public order or safety will be jeopardized may permit a restriction on the application of the right in a concrete case by a statutory authority ..."
> H.C. 806/88 City Studios, Inc. v. The Films and Plays Review Council, P.D. vol. 43 (2) 22, 30.

Professional education in culture and art

737. There are 14 professional post-secondary art schools, recognized by the Ministry of Education, Culture and Sport, which provide training in a variety of artistic areas. Seven of these institutions have been authorized by the Council of Higher Education to grant academic degrees to graduates. These include Bezalel - the academy of arts and design - the Rubin Academy of Music, and the Shenkar School of Fashion and Textile. In addition, universities have art departments in which the history of art, art appreciation, film-making, theatre, music and other culture-related topics are taught. Regional colleges also have art departments in which programmes and courses in film-making, theatre, plastic arts, dance, music and other art forms are given.

738. Certain universities and colleges also offer study programmes in the administration of cultural institutions.

Other measures for the conservation, development and diffusion of culture

739. The Mediterranean Culture Forum: In order to improve the coordination activities aimed at integrating cultural preservation, a Forum for Mediterranean Culture has been jointly established by the Ministry of Education, Culture and Sport, Ministry of Foreign Affairs, The Van Leer Research Institute and Mishkenot Sha ananim Cultural Center. The forum initiates various activities to preserve and disseminate a combination of eastern and western Mediterranean culture. At this stage, the forum is initiating 10 projects dealing with topics such as: Jewish, Christian and Muslim relations; relations between Sephardim (Jews originating from Muslim countries) and Ashkenazim (Jews originating from European countries) through theatrical performances, music, journals and films; and the exchange of culture, knowledge and tradition.

740. The Israel Prize: The prize is awarded in the fields of science and art, commemorating the lifetime achievements of renowned personalities, scholarly thinkers, promoters of Israeli heritage, scientists, writers, cultural figures and artists. It expresses the State's gratitude of the recipients' activities and achievements, as well as their contribution to society. The Israel Prize is awarded annually on the basis of the recommendations of a public committee, with the approval of the Minister of Education, Culture and Sport.

741. Special cultural programmes for the disadvantaged: Much attention is being given by the Ministry of Education, Culture and Sport to the cultural needs of disadvantaged groups and sectors of the population. This includes supporting cultural activities for the disabled such as dance groups, orchestras and choirs for handicapped youth, the wheelchair-bound and children suffering from Down Syndrome.

742. Promotion of culture within education: Subjects related to the arts and culture are taught in all levels of the education system. Literature, foreign languages, arts, photography, theatre and film are part of both the compulsory and elective curriculum. There are also several adult education arts and culture programmes. Within the framework of secondary education, there are special schools for the arts which place special emphasis on the arts, in addition to the regular curriculum.

743. Cultural enrichment is an important educational element. Schools receive a "culture basket" which includes annual attendance at some five to seven artistic performances per student. Furthermore, a wide variety of cultural activities take place within the schools themselves, including student orchestras and choirs, dance troupes and theatre groups.

744. In addition, many cultural activities for children and youth take place in community centres, in cultural, youth and sports centres, youth clubs, youth and in various other extracurricular activities.

745. With the aid of Mifal Hapayis (the National Lottery), the Government is building 70 centres for science and the arts in lower secondary schools (for the 12 to 14-year-old age group), in consonance with the policy to develop

interdisciplinary curricula in science and the arts. Construction of 45 such centres began during 1996-1997. Other cultural facilities in schools throughout the country include performance arenas and art workshops.

746. Another "access to culture" project under way is the computerization of libraries, and the establishment of Internet access in libraries and schools.

International cultural cooperation

747. Israel has cultural agreements with a large number of countries worldwide. Some thirty public festivals are held in Israel, some of which include the participation of many artistic groups from abroad. Many of the world's leading performing artists perform in Israel on a commercial basis. Similarly, important international art exhibitions are presented in Israel from time to time.

748. The State of Israel, Israeli organizations and individuals are members of various international cultural and art organizations. Israeli artists participate on a regular basis in conferences worldwide, some of which convene in Israel. Throughout the years, Israel has obtained valuable cooperation on the part of international organizations and foundations in the field of culture.

The enjoyment of scientific progress

Institutional promotion of research and development

749. The basic structure of the R & D system in Israel was laid down in the late 1950s by a high-level committee headed by Ephraim Katzir, himself a scientist of world renown and later-President of Israel. The committee suggested that each ministry be made responsible for R & D within its own areas of public accountability; and that all R & D activities be directed and coordinated by a Chief Scientist. The committee's recommendations were adopted by the Government in 1968. Hence, a two-tier approach exists wherein each ministry remains free to pursue its own R & D agenda while two high-level forums were created to ensure inter-ministerial cooperation and collaboration. The first is the Ministerial Committee for Science and Technology; and the second is the Chief Scientists' Forum. Both forums are headed by the Minister of Science.

750. In addition, the consultative National Council for Research and Development (NCRD) advises the Government in its consolidation of a comprehensive national R & D policy, and provides it assistance in determining the allocation of resources to scientific institutions and projects. In 1994, a temporary committee, The Executive National Committee for the Development of Scientific and Technological Strategic Research (the "Committee of Thirteen"), was established by the NCRD to identify priority areas. (See below.)

751. The implementation of Israel's R & D policy is divided among three different ministries:

- Basic research is under the responsibility of the Ministry of Education, Culture and Sport. The general basic research budgeting policy is not decided by the Ministry itself, but rather by an independent Council for Higher Education (composed largely by public figures in the field of higher education), chaired by the Minister of Education. The Council also has a six-member Planning and Budgeting Committee which authorizes the actual allocation of governmental funds to universities and other institutes of higher education. In the performance of its role, the Ministry of Education receives the advice of yet another consultative committee: the Israel Academy of Sciences and Humanities, a statutory body composed of leading academics. In 1987 the academy submitted to the Government a master-plan for basic research, which has been approved and is being implemented gradually.

- Strategic-generic R & D is supervised by the Ministry of Science. The Executive National Committee for the Development of Scientific and Technological Strategic Research (the Committee of Thirteen) was established in 1994 by the NCRD and the Ministry of Science to identify priority areas, with market potential, suitable for a concerted national strategic R & D effort. Special supervision committees were subsequently assigned the role of supervising the progress in each of the priority areas determined by the Committee of Thirteen. These areas include biotechnology, electro-optics, micro-electronics, advanced materials, and telecommunications and information technologies.

- Applied industrial R & D is within the powers of the Ministry of Industry and Trade. The Ministry, operating through the office of its Chief Scientists, provides support to specific R & D projects of perceived commercial utility.

The national R & D budget

752. Israeli industry has traditionally under-invested in long-term R & D. The business sector in Israel invests on average 36 per cent of the total national expenditure on R & D compared to an average of 51 per cent for Organization for Economic Cooperation and Development countries. Two national programmes attempt to compensate for this failure on the part of industry:

1. The Ministry of Science provides additional R & D funds to high priority fields. The ministry aims to create a critical mass of knowledge, know-how and experience in priority areas to be later diffused in industry and implemented in the creation of new and advanced value-added products.

2. The Ministry of Industry and Trade funds shorter-term industry-motivated R & D, and supports factories and other industry businesses investing in R & D. The Ministry normally funds 66 per cent of the research costs of approved projects.

753. Strategic generic research accounts for only 8 per cent of the government national R & D budget. In comparison, basic research receives 34 per cent of the budget and applied industrial research - through the Office of the Chief Scientist of the Ministry of Industry and Trade - 38 per cent.

Expenditure of government ministries on civilian R & D, by type of expenditure

	Transfers	Purchases of civilian R & D	Intramural expenses			Total
			Current expenses	Wages	Total	
	NIS million, at current prices					
1990	335	33	61	67	128	436
1991	443	33	63	81	150	532
1992	530	45	81	91	172	747
1993	727	41	76	110	188	956
1994	347	53	122	164	286	1 286
1995	-	-	-	-	-	1 457
	At 1989 prices					
1990	286	28	52	56	108	422
1991	322	29	50	56	105	456
1992	340	23	52	57	110	478
1993	411	23	44	71	115	549
1994	487	27	52	81	133	647
1995	-	-	-	-	-	654
	Per cent change in previous year					
1990	10.0	-13.7	-14.4	6.7	-4.7	4.0
1991	12.5	4.3	-5.0	0.2	-2.3	8.2
1992	5.5	-1.4	5.7	2.3	4.2	4.7
1993	20.3	-18.2	-16.3	23.6	4.6	14.8
1994	18.5	15.4	18.2	14.1	15.7	17.8
1995	-	-	-	-	-	1.1

Source: The Central Bureau of Statistics.

National expenditure on civilian R & D, by operating and financing sector

	Operating				
	Private non-profit institution	Higher education a/	Government	Business	Total
	At current prices				1993
TOTAL - NIS million	325.0	1 431.0	504.2	1 331.3	4 312.1
- per cents	7	35	12	46	100
Financing sector					
Business	0	1	0	34	36
Government	3	16	3	12	40
Higher education a/	0	10	0	0	10
Private non-profit inst.	3	2	2	0	7
Rest of the world	1	6	1	0	7
	NIS million, at 1989 prices				
1989	164	636	260	934	1 994
1990	173	678	245	931	2 027
1991	176	693	265	1 028	2 162
1992	180	774	284	1 117	2 355
1993 b/	196	820	285	1 153	2 454
	Per cent change c/ on previous year				
1990	5.7	6.6	-5.8	-0.3	1.7
1991	1.8	2.3	8.2	10.3	6.6
1992	2.3	11.7	7.2	8.7	8.8
1993 b/	8.9	5.9	0.4	3.2	4.2

Source: The Central Bureau of Statistics.

a/ Incl. the Universities and Weizman Institute of Science.

b/ Early estimate.

c/ Per cent change was calculated before rounding.

Expenditure on separately budgeted research in universities by scientific field, institution and source of funding

At 1990/91 prices

	1990/91	1988/89	1984/85	1981/82
	NIS million			
TOTAL (1)	274.2	260.2	273.6	140.3
	Per cents			
TOTAL (1)	100.0	100.0	100.0	100.0
Scientific field				
Natural sciences and mathematics	51.3	58.0	43.2	45.6
Engineering and architecture	13.7	12.3	17.1	19.7
Agriculture	3.7	3.6	5.3	4.2
Medicine and paramedical courses	13.9	13.1	14.0	14.3
Social sciences and other	17.3	12.8	14.4	15.6
Institution				
The Hebrew University	32.4	31.8	35.4	36.8
Technion R & D Foundation	15.3	14.3	13.4	20.2
Tel-Aviv University	15.4	7.8	10.5	14.1
Bar-Ilan University	4.0	4.3	3.3	3.1
Haifa University	0.6	0.3	0.7	0.7
Ben-Gurion University of the Negev	10.2	3.5	6.6	6.8
Weizmann Institute of Science	22.1	31.4	23.5	16.3
Source of financing				
Israel - Total	56.7	55.4	57.7	56.4
Academic	6.3	5.6	6.2	7.0
Public	42.0	34.0	36.3	43.6
Private	6.4	10.3	12.5	7.8
Foreign sources	41.3	46.6	42.3	41.6
	Per cent financing of Israeli sources			
Scientific field				
Natural sciences and mathematics	50.0	45.2	51.8	.
Engineering and architecture	77.0	63.3	77.2	.
Agriculture	71.7	74.6	52.3	.

Source: The Central Bureau of Statistics.

Support of scientific activity and dissemination of scientific knowledge

754. Special projects: The Government of Israel supports several programmes designed to promote unique scientific activity and disseminate scientific knowledge.

755. Ministry of Science projects: The Ministry of Science gives support to a wide range of special programmes. Support is normally given for only one year at a time, but grantees are encouraged to re-submit an application for further funding. Applications for support are reviewed according to the Ministry of Science's current criteria for sponsoring public bodies and projects (which were last updated in April 1995). Emphasis is placed on the geographic and demographic dispersion of scientific and technological activities and knowledge, both to peripheral regions and to the populations of immigrants from the former USSR and Ethiopia. The major areas of support are:

756. Regional research and development centres: The Ministry of Science supports regional R & D centres in peripheral areas which strive to create and stimulate science and technology R & D activities intended to benefit the region in which they are situated, and to attend to the needs of local population. Currently, five such regional R & D centres receive Ministry funding: the Golan R & D Center; the Mitzpeh Ramon Center in the northern Negev; the Katif Center for the Study of Coastal Deserts; the Galilee Center for R & D (which promotes R & D by the Israeli Arab scientific community); and the Hatzevah R & D Center, in the southern Arava Negev region.

757. Enrichment activities - science and technology: The Ministry of Science supports a wide range of programmes aimed at advancing the scientific and technological literacy of the general public, with priority given to educating children and youth outside the main urban centres. In particular, support is offered to unique extracurricular activities not available through the education system due to budgetary constraints; programmes for populations who otherwise have limited selection of enrichment activities; programmes for the disadvantaged, and programmes for the Arab and Druze minority sector. Only projects open to all residents of the locality in which they take place, on a non-discriminatory basis, are eligible for support.

758. Some of the programmes under this category which were funded in 1997 are: science workshops, seminars, summer schools and scientific tours for youth and children; the establishment of scientific facilities such as a communication station, a small scale observatory, and scientific activity centres; the publication of the first few issues of a new popular scientific journal in Arabic; scientific exhibitions; and scientific competitions. Overall, 15 projects at a total cost of around $300,000 were funded in 1997.

759. Two national science museums operate under the auspices of the Ministry of Science: The National Museum for Science and Technology of Haifa, and The Science Museum of Jerusalem. These museums receive part of their annual income ($1 million in 1997) from the Ministry.

760. The Ministry of Science also organized in 1996 and again in 1997 a special event - "The Opening of the Scientific Year", the purpose of which was to bring public attention to the importance of scientific activity for

improving the quality and standard of living in Israel. On this occasion, and in order to encourage youth involvement with science, the Ministry invited adolescents from all over the country to present their unique projects to representatives of the scientific community, and held a competition on the best popular scientific article. The Ministry of Science is considering to make this event a tradition, and is currently planning next year's competition.

761. Encouragement of scientific interchange: Apart from the support given by the Ministry of Science to bi-national and international conferences and seminars (see infra), it also provides partial financial assistance for national conferences conducted under the auspices of other private or public institutions. This support is aimed at creating opportunities for high-level scientific interchange. The additional support offered by the Ministry encourages, whenever possible, students and young scientists to attend them.

762. Ministry of Trade and Industry projects: The Ministry of Trade and Industry operates several "technology incubators". Their aim is to create a supportive framework that will enable resource-limited scientists and engineers to work on R & D projects. The incubators offer the developer of a scientific research project a broad logistic infrastructure, including laboratories, instruments, economic management, legal advice and other services.

763. Twenty-eight incubators are operating at present around the country, encompassing 230 running projects (half of which were initiated by new immigrants). Some 1,100 workers are employed in incubators (about 80 per cent of whom are also new immigrants). Every month, an average of 10 new projects are approved for funding by the Ministry. Incubator-sponsored projects may last up to two years. Subsequent research may be eligible for other Ministry financing programmes.

764. The Agricultural Research Administration: Of special importance to scientific progress in Israel are the R & D activities of the Agricultural Research Administration, operating within the Ministry of Agriculture. The administration operates seven research institutes and several experiment stations and experimental farms, and has carried out hundreds of research projects throughout the country.

- The Centre for Field and Garden Crops studies cultivation techniques, strains of plants, medical agricultural, agro-technical methods and biotechnology.

- The Institute for Plantations tests new species and strains for marketing qualities, irrigation and fertilization methods, climate and soil adaptability; studying ways of controlling fruit ripening and designing orchards.

- The Institute for Animals studies feeding; reproduction and fertility in cattle and sheep, qualities of eggs and poultry; study of animal hybridization and genetic engineering.

- The Flora Protection Institute conducts research projects for identifying plants' diseases; development of environment-friendly pesticides and of resistive plants.

- The Land and Water Institute studies irrigation methods and water and land quality.

- The Institute for Technology and Storage of Agricultural Produce examines the handling of agricultural products, and the development of healthy food products.

- The Agricultural Engineering Institute carries research projects concerning agricultural machinery and their adaptation to Israeli agriculture.

- The Center for International Agricultural Cooperation and Instruction (operated jointly with the Ministry of Foreign Affairs) runs training courses in agricultural development intended for hundreds of students. Some course are given outside Israel to foreign agriculturists (e.g. in Latin America, Asia, Africa, Egypt and Eastern Europe).

765. Research grants and scholarships are awarded by several private and public funds, in addition to the regular university funding. This system constitutes an important source of support in scientific activity. Examples of such financial support are the following funding programmes:

766. The Council for Higher Education offers over 20 three-year grants (Alon Grants for Young Scientists) annually, which permit outstanding young scientists to find posts at the universities; The Rashi Foundation, a private fund, partly supported by the public Planning and Budgeting Committee, provides 15 immigrant scientists with annual grants; (the Guestella Foundation); Similar grants are awarded to another 15 senior immigrant scientists by the Berekha Foundation; The Israel Academy of Sciences and Humanities supports research programmes concerning the fauna, flora and geology of Israel; and The Rothschild Foundation supports new immigrants studying for a doctorate in natural sciences.

767. Publications: Numerous scientific publications are published in Israel every year. Some of these publications are funded by the academic institutions, whereas others are supported by public and private bodies.

Freedom of scientific research and creative activity

768. The protection of scientific and creative expression is considered part of the freedom of speech, which constitutes a fundamental value of the Israeli legal system. The Supreme Court of Israel has stated:

> "The important issues, that the decision in the present case is hinged upon, are freedom of speech and academic freedom. We must protect them in every way, we are obliged to defend them and we must nurture them as if they were 'protected natural treasures'. We need to further recall that the protection granted to these liberties through a Basic Law, or

> by way of constitutional interpretation that construes them as originating from a Basic Law, or declarations on the part of State authorities committing themselves to those principles, is not enough. A necessary prerequisite to the existence of these freedoms is the existence of public trust in their actual implementation. If a person does not truly believe that he/she is entitled to freedom of speech or academic freedom, subject of course to recognized limitations, he/she is bound to act as if those freedoms do not exist. If the public does not believe in them, the liberties are expected to recede ...
>
> "The reasons for protecting academic freedom are numerous and diverse, and much written about. Research, studying and teaching in every field of the human spirit, without ball and chain, are uplifting for any individual within society, and through their effect upon the individual they affect the society as a whole. It also fulfils a basic human need ... Among the reasons for protecting this freedom, it is possible to refer to the society's interest in promoting values such as: 'knowledge, individual self-fulfilment, curiosity, etc. - values the promotion of which sometimes neglected, since they are outside the centre of attention of the executive social institutions. Therefore, it is the role of universities to research, accumulate knowledge and teach' [cite omitted]. The basic proposition is that a teacher in the academic world is entitled to conduct research and teach in his/her area, in whatever way he/she sees fit, and it is best that non-academic elements will impose minimal restrictions upon him/her, his/her students and their interaction."
> Cr.A. 2831/95 Elba v. The State of Israel, Takdin-Supreme,
> vol. 96 (3) 97, 171-175

769. Hence, scientific publications and interchange cannot be restricted save in extreme situations, i.e. where they almost certainly threaten public safety or order. Furthermore, according to the principles of Israeli administrative law, the Government cannot withhold support from a scientific or creative expression merely by reason of objection to the contents of that expression.

International cooperation

770. Israel's scientists are very much interwoven in the international scientific community. One third of all Israeli scientific papers in international journals include foreign co-authors. Academics receive generous professional travel and sabbatical allowances as part of their terms of employment. Most postdoctoral fellows spend one or two years in world-class research centres abroad before beginning their research careers.

771. International scientific cooperation is particularly vital for Israel in several ways. Joint research programmes and cost-sharing help stretch Israel's limited research budget, and gives Israeli scientists access to large multi-billion-dollar research facilities that Israel cannot afford to duplicate. Collaboration with scientists abroad provides intellectual synergy with a large pool of talent and helps Israel maintain world-class scientific standards despite its small size.

772. In accordance with this approach, the Ministry of Science administers various international programmes which are intended to facilitate and encourage collaboration between researchers from Israel and foreign countries. In particular, it operates programmes of scientific cooperation based on bilateral agreements with 26 countries around the world. Support is given in the following three areas of activities:

- joint research projects;
- exchange of scientists (at different levels of seniority: doctoral students, junior and senior researchers);
- joint conferences.

773. Within the framework of each agreement, and in coordination with the respective country, the Ministry periodically issues invitations to submit proposals, directed for researchers competing for joint funding.

774. Each year the Ministry of Science supports two international scientific conferences, and several bilateral ones. In order to ensure wide dissemination of cutting-edge scientific knowledge the Ministry regularly subsidizes the entrance fee of participants from the general public in such conferences.

775. The biggest international scientific cooperation programme in which Israel is taking part involves the European Union. Israel joined the EU Fourth Framework Program for R & D in 1996. The agreement commits Israel to pay an annual membership fee of $40 million. In return, Israeli scientists are able to participate and compete for grants in the following four activities: research projects with scientists from EU; research projects with scientists from non-EU member States; grants for dissemination and implementation of research results; and, grants for training and mobility of researchers (conferences, mutual visits, scholarships, etc.).

776. The agreement is based on the principle of reciprocity, and entitles researchers from the EU to have access to Israel's national programmes for R & D. This obligation on the part of Israel is currently in the implementation process.

777. The Ministry of Science coordinates Israeli participation in several international organizations and research facilities, such as CERN (European Nuclear Research Center), EMBO (European Molecular Biology Organization), EMBL (European Molecular Biology Laboratory) and UNESCO.

778. In the last two years Israel gained observer status in the Organization for Economic Cooperation and Development and participates in the organization's activities in the area of science and technology, sharing information and acquiring further knowledge on science and technology policy. Israel has also been invited by the North Atlantic Treaty Organization to take part in the organization's scientific activities, under its Mediterranean Dialogue.

779. Additional international cooperation is exercized by the Israel Academy of Sciences and Humanities. The Academy operates a scientific centre in Cairo, the aim of which is to assist Israeli researchers in work associated with Egypt and its culture, and to encourage cooperation with Egyptian researchers in all spheres of science and research. The academy also has an observer status at the European Foundation for Science and takes part in its activities. Among them are the meetings of the permanent committee of the foundation for humanities, social sciences, the European councils for medical research, the European councils for scientific research and the four "scientific nets" of the foundation. It also represents Israel at the International Council of Scientific Unions (ICSU).

780. The academy runs scientists' exchange programmes with academies in Western Europe and Eastern Europe and promotes contacts with national academies and scientific research communities throughout the world.

The legal protection given to intellectual property

781. Literary and artistic works are protected in Israel by copyright and performers' rights laws. Scientific inventions are protected by the patent laws. The basic principle, according to which intellectual property is protected under Israeli law, was reiterated by the Supreme Court of Israel:

> "The right of the creator vis-a-vis his/her creation is also a fundamental principle - the right to protection of property rights. This principle is enshrined in Article 3 of the Basic Law: Human Dignity and Liberty, according to which it is prohibited to interfere with one's property. In the jurisprudence of this court the principle was enumerated among the fundamental values, on the same level of freedom of speech [cite omitted]. In the framework of property rights, it is natural that intellectual property is also protected."
> P.C.A 2687/92 Geva v. Walt Disney Corp., P.D. 48 (1) 251, 269

Copyrights

782. Israel's main copyright law - the Copyright Law is based on the United Kingdom Copyright Act of 1911. However, it forms only a part of Israeli copyright statutory law. The other primary copyright statutory instruments include the Copyright Ordinance 1924; Copyright Order (Berne Convention) 1953; and the Copyright Order (Universal Copyright Convention) 1955.

783. Protection granted to the holder of a copyright includes the exclusive right to (a) copy or reproduce the work; (b) translate or otherwise adapt the work; (c) distribute copies of the work; and (d) publicly communicate the work. It is not necessary to submit a formal application in order to obtain copyright protection in Israel. It is generally recommended that authors mark their works with a copyright notice including the author's name and the date of creation. Copyright protection subsists for the life of the author and for a period of 70 years after his/her death .

784. Both civil and criminal remedies against breaches of copyrights are provided for in the law. The civil remedies include action for damages, accounting for profits, and court seizure orders and injunctions. As to

criminal remedies, the Copyright Ordinance 1924, as amended subsequently, provides that commercial infringement of a copyright copies constitutes a criminal offence punishable by up to three years of imprisonment and the possible seizure and destruction of infringing copies. The law also provides for limitations and exceptions to the protection of the copyright: fair use of the protected material is permitted if used for private study, research, criticism, review, or a journalistic summary.

785. Several significant amendments have been introduced in the Copyright Ordinance which have substantially modified the law and brought it to date with recent developments.

1. In 1981, the concept of moral rights was added to the law. Consequently, each author has the right to have his/her name applied to his/her own work, as well as the right to seek relief against distortion, modification or derogatory actions in relation to the work, which may offend the author's reputation or dignity.

2. Since 1988 computer software is also protected by copyright on the same terms as "literary works".

3. Since March 1996 the renting and leasing rights of audio and visual copyrighted works belong exclusively to the copyright holder. Furthermore, the Government was instructed to transfer 5 per cent of the market retail proceeds from the sales of blank audio and video cassettes (deducted from VAT proceeds), to right holders subject to the supervision of a special committee.

4. The protection of copyright laws has been extended to databases and compilations, even if the "raw material" data was a matter of public property.

786. Israel is a member of the following conventions:

- The Berne Convention under its Brussels Act,

- The Universal Copyright Convention under its initial Act,

- The Geneva Convention of 1971 for the Protection of Producers of Phonograms Against Unauthorized Duplication of their Phonograms, and

- The World Trade Organization, and the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS).

787. Lastly, the Copyright Law Reform Committee set up by Israel's Ministry of Justice has completed its work and a new draft copyright bill has been distributed for comment to members of the public.

788. Performers' rights: under the Performers' Rights Law 1984, a singer, actor, music player, dancer, or any other performer of a literary, artistic, dramatic or musical work is entitled to prevent the recording, copying, broadcasting and commercial use of his/her performance without permission. The court may order to confiscate unauthorized copies of the performance.

Patents

789. Patents are protected in Israel by two separate acts: The Patents Law 1967 and the Patents and Designs Ordinance. Under these laws an inventor may register a patent to an invention if he/she can prove innovation, usefulness, commercial applicability and inventive progress. The proprietor of a patent is entitled to prevent anyone from using the patent without his/her permission.

790. The Registrar of Patents is authorized to issue coercion permits, enabling others to use the patented invention, if he/she is convinced that the proprietor is exploiting the monopoly over the patent. Other restrictions imposed upon the scope of protection offered by the patent system is the limited life span of a registered patent (20 years), and the exclusion of inventions constituting bodily medical treatments, and artificial animal and plant species from the system.

791. The policy considerations underlying the institution of patents and its interplay with coercion permits was analysed at length by the Supreme Court of Israel:

> "The purpose of the patent system is not a mere consideration granted to the inventor in return for the public benefit derived from his/her invention. The purpose is also to encourage research. Exchange of opinions, information and thoughts is essential to the advancement and fruition of research. But until the research receives protection in the form of exclusivity, it is only natural that inventors will seek to keep their invention confidential, and look for the most efficient use thereof. Early recognition of an invention will not necessarily discourage other researchers, so that they will no longer pursue the same area. On the contrary, in the absence of a patent protection system, it is feared that some will settle for plagiarizing an existing invention. A protection against imitation will encourage additional research, designed to find other uses, advancements, innovations and refinement beyond the existing and protected patent. This is how the patent system offers incentives for originality and creative imagination. Early publicity (which will not be facilitated unless a patent exists) will create interest in the scientific community, bolster team work and encourage further independent research. It is a case of 'writer's jealousy which advocates wisdom'. Furthermore, lacking the incentive created by exclusiveness, which ensures a financial reward for breakthrough findings, the requisite research resources will not be made available ..."
> C.A. 665/84 Sanopy Ltd. v. Unipharm Ltd., P.D. vol. 41 (4) 729, 743

"The patent system involves a conflict between two important public interests. On the one hand, the interest of development and inventive creation, and on the other, the interest of free economic activity. To advance the first set of interests, the legislator must provide an economic incentive to the inventor ... Therefore, the legislator decided to establish the patent system and grant the inventor exclusive monopoly on the use of the invention, thereby guaranteeing him/her reimbursement for developing expenses and a certain profit, i.e. an incentive to invest in the invention. But this solution implies compromising the other public interests mentioned above, to the extent that monopoly hinders free competition. And so, in order to protect this interest, the legislator decided to restrict the inventor's monopoly. In this restricted monopoly we can find what the legislator deems to be the optimal balance between the two colliding principles. These restrictions include the power of the patent registrar, in cases of 'monopoly abuse' on the part of the patent owner, to end the monopoly and permit another person to use the patented invention [cite omitted]. Another restriction can be found in the fact that monopoly is given for a limited time only."
C.A. 427/86 Blass v. Kibbutz Hashomer Hatzair Dan, P.D. vol. 43 (3) 312, 336.
